

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JOHN SCATCHELL, SR., )  
                          )  
Plaintiff,             )  
                          )  
vs                      ) No.  
                          ) 2018cv03989  
VILLAGE OF MELROSE PARK, an       )  
Illinois Municipal Corporation;     )  
RONALD D. SERPICO; SAM C.        )  
PITASSI; MICHAEL CASTELLAN; and    )  
STEVEN ROGOWSKI,                 )  
                                  )  
Defendants.                 )

The discovery deposition of  
JOHN SCATCHELL, called by the Defendants, for  
examination, pursuant to notice, taken before  
LORI ANN ASAUSKAS, CSR, RPR, a notary public  
within and for the County of Cook and State  
of Illinois, at the Village of Melrose Park,  
1000 N. 25th Street, Melrose Park, Illinois,  
on Wednesday, August 5, 2020, scheduled to  
commence at 1:00 o'clock p.m.

John Scatchell, Jr.

August 5, 2020

<p>1 A P P E A R A N C E S:</p> <p>2 LAW OFFICES OF GIANNA SCATCHELL, 360 West Hubbard Street 3 Suite 1404 Chicago, Illinois 60654 4 (312) 248-3303 gia@lawfirm.gs 5 BY: MS. GIANNA SCATCHELL, 6 -and- 7 TALON LAW, LLC, 105 West Madison Street 8 Suite 1350 Chicago, Illinois 60602 9 (312) 702-0627 ctc@talonlaw.com 10 BY: CASS T. CASPER, 11 Appeared on behalf of the Plaintiff;</p> <p>12</p> <p>13 LANER MUCHIN, LTD., 14 515 North State Street Suite 2800 15 Chicago, Illinois 60654 (312) 467-9800 16 jeffrey.fowler@lanermuchin.com BY: MR. JEFFREY S. FOWLER,</p> <p>17 HERVAS, CONDON &amp; BERSANI, P.C. 18 333 Pierce Road Suite 195 19 Itasca, Illinois 60143 (630) 773-4774 20 mbersani@hcbaattorneys.com BY: MR. MICHAEL BERSANI,</p> <p>21 -and-</p> <p>22</p> <p>23</p> <p>24</p>	<p>2</p> <p>1 I N D E X</p> <p>2 THE WITNESS: JOHN SCATCHELL, JR. PAGES</p> <p>3 Direct Examination by Mr. Fowler..... 6 - 231 4 Cross-Examination by Mr. Casper..... 231 - 272 5 Redirect Examination by Mr. Fowler..... 273 - 285 6 Cross-Examination by Mr. Casper..... 285 - 291 7 Cross-Examination by Mr. Bersani..... 291 - 293 8</p> <p>9 E X H I B I T S</p> <p>Marked for Identification</p> <p>10</p> <p>11 Deposition Exhibit No. 1..... 151 12 Deposition Exhibit No. 3..... 152 13 Deposition Exhibit No. 4..... 163 14 Deposition Exhibit No. 5..... 165 15 Deposition Exhibit No. 6..... 166 16 Deposition Exhibit No. 7..... 165 17 Deposition Exhibit No. 8..... 170 18 Deposition Exhibit No. 9..... 171 19 Deposition Exhibit No. 10..... 172 20 Deposition Exhibit No. 11..... 173 21 Deposition Exhibit No. 12..... 174 22 Deposition Exhibit No. 13..... 174 23 Deposition Exhibit No. 14..... 175 24 Deposition Exhibit No. 15..... 175</p>
<p>3</p> <p>1 A P P E A R A N C E S:</p> <p>2 DEL GADO LAW GROUP, LLC, 1441 South Harlem Avenue Berwyn, Illinois 60402 4 (708) 222-7000 woerner@glawgroup.com 5 BY: MR. TIMOTHY A.M. WOERNER, 6 Appeared on behalf of the Defendants;</p> <p>7</p> <p>8 LAW OFFICE OF CHRISTOPHER COOPER, 9 79 West Monroe Street Suite 1213 10 Chicago, Illinois 60603 (312) 473-2968 11 cooperlaw3234@gmail.com BY: MR. CHRISTOPHER COOPER,</p> <p>12 Appeared on behalf of the Deponent.</p> <p>13</p> <p>14 ALSO PRESENT: 15 Mr. John Scatchell, Sr. Ms. Cristina Sabater 16 Mr. Michael Castellan Mr. Samuel Pitassi 17 Mr. Steven Rogowski 18</p>	<p>5</p> <p>1 E X H I B I T S</p> <p>Marked for Identification</p> <p>2</p> <p>3 Deposition Exhibit No. 17..... 176 4 Deposition Exhibit No. 18..... 176 5 Deposition Exhibit No. 19..... 178 6 Deposition Exhibit No. 20..... 178 7 Deposition Exhibit No. 21..... 20 8 Deposition Exhibit No. 22..... 21 9 Deposition Exhibit No. 23..... 23 10 Deposition Exhibit No. 24..... 24 11 Deposition Exhibit No. 25..... 25 12 Deposition Exhibit No. 26..... 26 13 Deposition Exhibit No. 30..... 184 14 Deposition Exhibit No. 33..... 193 15 Deposition Exhibit No. 34..... 193 16 Deposition Exhibit No. 35..... 190 17 Deposition Exhibit No. 36..... 149 18 Deposition Exhibit No. 36..... 149 19 Deposition Exhibit No. 40..... 146 20 Deposition Exhibit No. 41..... 36 21 Deposition Exhibit No. 43..... 228 22 Deposition Exhibit No. 44..... 228 23 Deposition Exhibit No. 47..... 75 24</p>

2 (Pages 2 to 5)

John Scatchell, Jr.

August 5, 2020

<p>1           MR. FOWLER: This deposition is 2 being taken pursuant to the Federal Rules 3 of Civil Procedure, notice to the parties 4 and subpoena to the witness. 5           Would you swear him in, 6 please? 7           THE COURT REPORTER: Please raise 8 your right hand. 9           THE WITNESS: (Witness complied.) 10          THE COURT REPORTER: Do you solemnly 11 swear that the testimony you are about to give 12 will be the truth, the whole truth and nothing 13 but the truth, so help you God? 14          THE WITNESS: I do. 15           (Witness sworn.) 16 WHEREUPON: 17          JOHN SCATCHELL, 18 called as a witness herein, having been first 19 duly sworn, deposeth and saith as follows: 20          D I R E C T   E X A M I N A T I O N 21           by Mr. Fowler 22          <b>Q.</b> Would you tell us your name, please? 23          A. John A. Scatchell. 24          <b>Q.</b> Have you ever had a deposition done</p>	<p>6</p> <p>1           <b>Q.</b> If at any time you need to take 2 a break -- I don't know how long the 3 deposition is going to go today, but if 4 you need to take a break, just let us know 5 and we'll try to accommodate you. 6           The general rule is though 7 that you should answer a question that's 8 pending before you take a break. 9           Understand? 10          A. Okay. 11          <b>Q.</b> Do you understand the instructions 12 I've just given you? 13          A. Yeah. 14          <b>Q.</b> All right. A couple of other quick 15 things that we all mess this up because this 16 is kind of an unusual process, what we say 17 is being taken down by a court reporter and 18 so because of that, there's a few things 19 that are different than in normal conversation. 20           Number one is that we have 21 to communicate in words. Shaking a head, 22 nodding a head, uh-huh, huh-huh, that kind 23 of stuff doesn't really translate well. 24          A. Okay.</p>
<p>1 before? 2          A. Not that I can recall. 3          <b>Q.</b> The purpose of a deposition is to 4 give the lawyers in this case an opportunity 5 to ask you questions to see what you know 6 concerning the case itself. 7           In order for this process 8 to be useful at all, it's really important 9 for us all to follow a few ground rules. 10          One is that if you don't 11 hear a question that any of us ask you, 12 will you let us know that before you answer? 13          A. Okay. 14          <b>Q.</b> All right. If you don't understand 15 a question that any of us ask you, will you 16 let us know that and give us an opportunity 17 to rephrase it before you answer? 18          A. Yes. 19          <b>Q.</b> If you answer a question, then 20 we'll all understand that you heard the 21 question, you understood it and you're 22 doing your best to answer it as truthfully 23 and accurately as you can, is that fair? 24          A. Sounds fair.</p>	<p>7</p> <p>1          <b>Q.</b> And second it's really kind of 2 important to make sure that we don't speak 3 at the same time. You let whoever is asking 4 questions finish the question before you 5 answer and then we, likewise, should try to 6 let you finish answering before we ask you 7 another question. 8           You're going to mess that 9 up. It happens to everybody. When we point 10 it out and ask you to repeat your answer, 11 don't feel like you're being chastised. It's 12 just something that we're trying to make 13 sure that we have a good record. 14           Understand? 15          A. Yes. 16          <b>Q.</b> A few questions that I have to ask. 17 I ask it of everybody. Please don't take 18 offense to it. 19           Have you taken any medication 20 or substance that would affect your ability 21 to give truthful and complete answers to the 22 questions that we ask you today? 23          A. No. 24          <b>Q.</b> Do you have any medical or</p>

John Scatchell, Jr.

August 5, 2020

<p>1   <b>psychological condition that would affect 2   your ability to give truthful and complete 3   answers to the questions that we ask you 4   today?</b></p> <p>5   A. No.</p> <p>6   <b>Q. Is there any reason at all why 7   you would not be able to give truthful and 8   complete answers to the questions that I 9   ask you today?</b></p> <p>10   A. No.</p> <p>11   <b>Q. As my colleague Mr. Casper asks, 12   did you get a good sleep last night?</b></p> <p>13   A. Did I get a good sleep?</p> <p>14   <b>Q. Yeah.</b></p> <p>15   A. Fairly decent.</p> <p>16   <b>Q. Ever been convicted of a felony?</b></p> <p>17   A. No.</p> <p>18   <b>Q. Have you been employed since December 19   of 2018?</b></p> <p>20   A. On and off, I did work for my sister's 21   law firm.</p> <p>22   <b>Q. Any other job?</b></p> <p>23   A. No.</p> <p>24   <b>Q. You became a police officer for the</b></p>	<p>10</p> <p>1   commission card doesn't say that. 2           Why would they give me a bad 3   commission card?</p> <p>4   <b>Q. Did you go through an interview process 5   with the members of the Board of Fire and Police 6   Commission?</b></p> <p>7   A. That was so long ago. I just remember 8   Commissioner Esposito being the only -- maybe 9   Commissioner Caputo was there, too, for the 10   earlier interview.</p> <p>11   <b>Q. Okay.</b></p> <p>12   MR. COOPER: Hey, Jeff, I want 13   to interrupt just for a second. 14           Is there audio in this 15   room?</p> <p>16   THE COURT REPORTER: Yes. I have 17   the audio.</p> <p>18   MR. COOPER: Not you. Is there -- 19   is there -- do we know?</p> <p>20   MR. FOWLER: I understand and 21   gave instructions that whatever 22   systems are in here were to be 23   turned off during periods of these 24   depositions. So there's --</p>
<p>11</p> <p>1   <b>Village of Melrose Park in 2012, right?</b></p> <p>2   A. Yes.</p> <p>3   <b>Q. Prior to that, no experience as a 4   policeman anywhere?</b></p> <p>5   A. No.</p> <p>6   <b>Q. You were hired by the Board of Fire 7   and Police Commissioners?</b></p> <p>8   A. I was.</p> <p>9   <b>Q. And the members of the board when 10   you were hired are the same members that 11   were there in December of '18 --</b></p> <p>12   A. No.</p> <p>13   <b>Q. -- is that true?</b></p> <p>14   A. No.</p> <p>15   <b>Q. What was different?</b></p> <p>16   A. My commission card shows George Leoni.</p> <p>17   <b>Q. Any other difference?</b></p> <p>18   A. That would be it, I think.</p> <p>19   <b>Q. The three who were there in December 20   of '18 were also there when you were hired?</b></p> <p>21   A. Nope.</p> <p>22   <b>Q. Your commission card doesn't say 23   anything?</b></p> <p>24   A. I don't believe Rauzi was, at least my</p>	<p>13</p> <p>1   MR. COOPER: The video -- the 2   video is going?</p> <p>3   MR. FOWLER: No. The video is 4   off.</p> <p>5   MR. COOPER: Oh, the video is -- 6   okay. All right. Thanks.</p> <p>7   MR. FOWLER: That's my instructions 8   and that's my understanding.</p> <p>9   MR. COOPER: No, I appreciate it.</p> <p>10   MR. FOWLER: Okay.</p> <p>11   BY MR. FOWLER:</p> <p>12   <b>Q. Throughout the time that you were 13   employed by the Village of Melrose, you were 14   a patrol officer?</b></p> <p>15   A. Yes.</p> <p>16   <b>Q. You're right-handed?</b></p> <p>17   A. Yes.</p> <p>18   <b>Q. You shoot with your right hand?</b></p> <p>19   A. Yes.</p> <p>20   <b>Q. And if you're firing a shotgun 21   or a rifle, you do it on your right 22   shoulder?</b></p> <p>23   A. Most generally, yes. I -- I've 24   done some competition shoots where I shoot</p>

John Scatchell, Jr.

August 5, 2020

<p>1 left-handed just for fun.      2     <b>Q. For waterfowl hunting, you're</b>      3 <b>doing it through your right shoulder?</b>      4     A. I would say most generally.      5     <b>Q. You're familiar with Vito Scavo?</b>      6         MR. COOPER: This is where      7 I indicated to you, Jeff, that      8 he's going to take the Fifth. So      9 you're going to have to do that,      10 John.      11         THE WITNESS: Okay.      12 BY MR. FOWLER:      13     <b>Q. So you're familiar with Vito Scavo?</b>      14     A. I am familiar with him.      15     <b>Q. And how are you familiar with him?</b>      16     A. Life-long family friend.      17     <b>Q. And, in fact, you consider him like</b>      18 <b>a second father, right?</b>      19     A. Yes.      20     <b>Q. Okay. In 2000 -- at some point in</b>      21 <b>time -- well, strike that.</b>      22         <b>Are you familiar with a --</b>      23 <b>something called IDecoyem Guide Service?</b>      24     A. At this time I invoke my Fifth</p>	<p>14</p> <p>1     <b>Q. During the period of the fall</b>      2 of -- well, let me ask the question      3 differently. I have a series of questions      4 that I'm going to ask about Vito Scavo.      5 You've answered one, that -- your      6 relationship.      7         Are there other questions      8 that you will answer about Vito Scavo or      9 are you going to assert the Fifth Amendment      10 right?      11         A. It depends what particular questions      12 you have.      13     <b>Q. Okay. Then I will go through them.</b>      14         <b>During the period of --</b>      15 <b>strike that.</b>      16         <b>When did Mr. Scavo get</b>      17 <b>convicted of a felony?</b>      18         A. Fifth Amendment.      19     <b>Q. During the period of time in</b>      20 <b>the fall of 2017, did you go hunting with</b>      21 <b>Mr. Scavo?</b>      22         A. Fifth Amendment.      23     <b>Q. In the -- in December -- strike</b>      24 <b>that.</b></p>
<p>15</p> <p>1 Amendment right.      2     <b>Q. Are you going to invoke your Fifth</b>      3 <b>Amendment right with respect to any questions</b>      4 <b>that I ask you about IDecoyem Guide Service?</b>      5     A. Yes.      6         MR. FOWLER: Counsel, is that      7 your understanding as well?      8         MR. COOPER: Yeah, yeah.      9 BY MR. FOWLER:      10     <b>Q. And based upon that, you're going</b>      11 <b>to refuse to answer any questions at all</b>      12 <b>that I ask you about IDecoyem Guide Service?</b>      13     A. I'm not refusing. I'm asserting      14 my Fifth Amendment right.      15     <b>Q. So let me ask it differently.</b>      16         <b>Based upon your assertion,</b>      17 <b>you are not going to answer any questions</b>      18 <b>that I ask you about IDecoyem Guide Service,</b>      19 <b>is that correct?</b>      20     A. My answer is that I'm taking the      21 Fifth Amendment.      22     <b>Q. You're familiar that Vito Scavo is</b>      23 <b>a convicted felon?</b>      24     A. Fifth Amendment.</p>	<p>15</p> <p>1     <b>In 2017, did you book a</b>      2 <b>trip to Mexico with Mr. Scavo?</b>      3         A. Fifth Amendment.      4     <b>Q. Did you go on a trip with Mr. Scavo</b>      5 <b>in December of 2017, hunting in Mexico?</b>      6         A. Fifth Amendment.      7     <b>Q. You're aware that the police</b>      8 <b>department has rules concerning the conduct</b>      9 <b>of police officers, right?</b>      10         A. Fifth Amendment.      11         MR. COOPER: Well, I think      12 you can answer that question.      13 I'm not sure what's going to      14 follow.      15         THE WITNESS: Okay.      16 BY THE WITNESS:      17     A. I am aware that there are rules.      18 Also, I'm also aware that Vito Scavo promoted      19 Deputy Chief Castellan, Director Pitassi and      20 Deputy Chief Rogowski and hired Deputy Chief      21 Rogowski after he was forced to take a forced      22 resignation from CPD, just to give a little      23 foundation as to who we're talking about.</p>

John Scatchell, Jr.

August 5, 2020

	18		20
<p>1 BY MR. FOWLER:</p> <p>2 Q. Anything else you would like to</p> <p>3 say?</p> <p>4 A. Eh, over the course of the day</p> <p>5 maybe.</p> <p>6 Q. The -- so now I'm a little confused.</p> <p>7 You're willing to talk about what Vito Scavo</p> <p>8 did, but when I ask you questions about --</p> <p>9 A. As police chief --</p> <p>10 Q. -- Vito Scavo, then you're asserting</p> <p>11 the Fifth Amendment?</p> <p>12 A. Yes.</p> <p>13 Q. So are you going to answer questions</p> <p>14 about Vito Scavo?</p> <p>15 A. I'll answer questions about when he</p> <p>16 was chief, sure.</p> <p>17 Q. So you're drawing the line of as</p> <p>18 soon as he was not police chief, then you're</p> <p>19 not answering any questions?</p> <p>20 A. That's not where I'm drawing the</p> <p>21 line. Go ahead and ask questions and I'll</p> <p>22 give you my answer based on what you ask me,</p> <p>23 Jeff.</p> <p>24 Q. So my question to you was you're</p>		<p>1 a thing about convicted felons when every</p> <p>2 one of them associates with convicted</p> <p>3 felons and for the record, that's Pitassi</p> <p>4 and Castellan especially.</p> <p>5 Q. Anything else you'd like to say?</p> <p>6 A. No.</p> <p>7 (Document marked as Scatchell</p> <p>8 Junior Exhibit No. 21 for</p> <p>9 identification, 08/05/2020.)</p> <p>10 BY MR. FOWLER:</p> <p>11 Q. If you would -- I've handed you</p> <p>12 and your attorney a binder.</p> <p>13 If you would take a look at</p> <p>14 Tab 21, that's Deposition Exhibit 21.</p> <p>15 (Document tendered</p> <p>16 to the witness.)</p> <p>17 MR. CASPER: Just a point of</p> <p>18 clarification, Jeff, as we have</p> <p>19 been segregating the exhibits by</p> <p>20 witness, is this going to be</p> <p>21 Scatchell 21 or just 21?</p> <p>22 MR. FOWLER: We can call it</p> <p>23 Scatchell 21.</p> <p>24 MR. CASPER: That would be</p>	
	19		21
<p>1 aware that the police department has rules</p> <p>2 concerning the conduct of police officers,</p> <p>3 right?</p> <p>4 MR. CASPER: Objection,</p> <p>5 foundation.</p> <p>6 MR. COOPER: You could answer.</p> <p>7 BY THE WITNESS:</p> <p>8 A. I am and they're not followed by</p> <p>9 90 percent of the ranks.</p> <p>10 BY MR. FOWLER:</p> <p>11 Q. You're aware that those rules are</p> <p>12 often called SOPs?</p> <p>13 A. Yes.</p> <p>14 Q. And you received copies of the SOPs</p> <p>15 periodically while you were employed by the</p> <p>16 department, right?</p> <p>17 A. If you guys want to call that</p> <p>18 received copies, that was more like here's</p> <p>19 your copy, go read it whenever you have a</p> <p>20 chance. You're rotating shifts. We don't</p> <p>21 give a shit about you. Just go read it.</p> <p>22 Here's 500 pages, we didn't</p> <p>23 underline anything that was changed, but six</p> <p>24 months before you come after me, you put in</p>		<p>1 helpful.</p> <p>2 MR. BERSANI: Can we call it</p> <p>3 Scatchell Junior 21?</p> <p>4 MR. FOWLER: That probably</p> <p>5 makes sense.</p> <p>6 MR. CASPER: So all of these</p> <p>7 exhibits will be Scatchell Junior?</p> <p>8 MR. FOWLER: Yes.</p> <p>9 BY MR. FOWLER:</p> <p>10 Q. All right. Have you had a chance</p> <p>11 to review Scatchell Junior Exhibit 21?</p> <p>12 A. I have.</p> <p>13 Q. Is that your signature on the page?</p> <p>14 A. Appears to be.</p> <p>15 Q. And this has a date of August 31,</p> <p>16 2012.</p> <p>17 Do you see that?</p> <p>18 A. Yes.</p> <p>19 Q. Did you sign it on or about August 31,</p> <p>20 2012?</p> <p>21 A. I would have to say I did.</p> <p>22 (Document marked as Scatchell</p> <p>23 Junior Exhibit No. 22 for</p> <p>24 identification, 08/05/2020.)</p>	

John Scatchell, Jr.

August 5, 2020

<p>1 BY MR. FOWLER:</p> <p>2 Q. Taking a look at Scatchell Junior</p> <p>3 Exhibit 22, do you see that?</p> <p>4 MR. COOPER: Jeff, if you</p> <p>5 have another copy, it would</p> <p>6 probably go faster if I can</p> <p>7 turn -- yeah, I was going to say</p> <p>8 I don't want to be rude.</p> <p>9 MR. FOWLER: So I don't think</p> <p>10 it matters, Chris, but the one you</p> <p>11 have now is -- has the stickers on</p> <p>12 it and just so we're all on the</p> <p>13 same page, the one that the witness</p> <p>14 has does not have the stickers. It</p> <p>15 has the tab marks. You have the</p> <p>16 stickers.</p> <p>17 MR. COOPER: We have stickers.</p> <p>18 Do you want to switch?</p> <p>19 MR. FOWLER: Yeah, if we can.</p> <p>20 Sorry.</p> <p>21 MR. COOPER: Who wants the</p> <p>22 stickers?</p> <p>23 MR. FOWLER: Just give it to</p> <p>24 the witness.</p>	<p>22</p> <p>1 (Document tendered</p> <p>2 to the witness.)</p> <p>3 BY THE WITNESS:</p> <p>4 A. Okay.</p> <p>5 BY MR. FOWLER:</p> <p>6 Q. Is that your signature on the</p> <p>7 officer signature line?</p> <p>8 A. Yes.</p> <p>9 Q. And your badge number is 23?</p> <p>10 A. It was.</p> <p>11 Q. Did you sign this on or about</p> <p>12 August 21, 2015?</p> <p>13 A. Given the document, I'd have to</p> <p>14 say yes.</p> <p>15 (Document marked as Scatchell</p> <p>16 Junior Exhibit No. 24 for</p> <p>17 identification, 08/05/2020.)</p> <p>18 BY MR. FOWLER:</p> <p>19 Q. Okay. Take a look at Exhibit 24.</p> <p>20 Is that your signature on</p> <p>21 the officer's signature line?</p> <p>22 (Document tendered</p> <p>23 to the witness.)</p> <p>24</p>
<p>23</p> <p>1 MR. COOPER: Here you go.</p> <p>2 BY MR. FOWLER:</p> <p>3 Q. All right. So looking at Scatchell</p> <p>4 Exhibit 22, do you see that?</p> <p>5 (Document tendered</p> <p>6 to the witness.)</p> <p>7 BY THE WITNESS:</p> <p>8 A. I do.</p> <p>9 BY MR. FOWLER:</p> <p>10 Q. Do you recognize your signature --</p> <p>11 strike that.</p> <p>12 Whose handwriting is on the</p> <p>13 lower left of that document?</p> <p>14 A. Appears to be mine.</p> <p>15 Q. And did you receive this on or about</p> <p>16 September 26, 2012?</p> <p>17 A. I would have to say yes.</p> <p>18 (Document marked as Scatchell</p> <p>19 Junior Exhibit No. 23 for</p> <p>20 identification, 08/05/2020.)</p> <p>21 BY MR. FOWLER:</p> <p>22 Q. Take a look at Scatchell Junior</p> <p>23 Exhibit 23.</p> <p>24</p>	<p>23</p> <p>1 BY THE WITNESS:</p> <p>2 A. It is.</p> <p>3 BY MR. FOWLER:</p> <p>4 Q. Did you sign this on or about</p> <p>5 June 8, 2016?</p> <p>6 A. I'd have to say yes.</p> <p>7 (Document marked as Scatchell</p> <p>8 Junior Exhibit No. 25 for</p> <p>9 identification, 08/05/2020.)</p> <p>10 BY MR. FOWLER:</p> <p>11 Q. Taking a look at Exhibit 25 -- and</p> <p>12 by the way, if I refer to an exhibit, unless</p> <p>13 I say otherwise, we can all understand it's</p> <p>14 Scatchell Junior Exhibit, fair enough?</p> <p>15 A. Okay.</p> <p>16 MR. FOWLER: Counsel?</p> <p>17 MR. CASPER: Yes.</p> <p>18 MR. COOPER: I agree.</p> <p>19 BY MR. FOWLER:</p> <p>20 Q. Taking a look at Exhibit 25, do you</p> <p>21 recognize this form?</p> <p>22 (Document tendered</p> <p>23 to the witness.)</p> <p>24</p>

John Scatchell, Jr.

August 5, 2020

	26		28
<p>1 BY THE WITNESS:</p> <p>2 A. I don't recognize it, but I 3 see it. One thing stands out Nunzio 4 Maiello didn't receive this disk.</p> <p>5 BY MR. FOWLER:</p> <p>6 Q. Have you seen forms like this 7 before?</p> <p>8 A. Probably.</p> <p>9 Q. If you look on the officer's 10 signature line about two-thirds of the way 11 down, is that your signature?</p> <p>12 A. Appears to be.</p> <p>13 Q. There is a date beside your signature 14 of 3/31/17.</p> <p>15 Did you sign it on or about 16 3/31/17?</p> <p>17 A. I'd be inclined to believe so.</p> <p>18 Q. Any reason to think you did not?</p> <p>19 A. Nope.</p> <p>20 (Document marked as Scatchell 21 Junior Exhibit No. 26 for 22 identification, 08/05/2020.)</p> <p>23 BY MR. FOWLER:</p> <p>24 Q. Taking a look at Exhibit 26,</p>		<p>1 employment is any employment with anybody 2 other than the village itself, while you were 3 a police officer, you had to get permission, 4 right?</p> <p>5 MR. COOPER: Objection to 6 the form, specifically anybody. 7 You can answer if you understand.</p> <p>8 MR. CASPER: Join.</p> <p>9 BY THE WITNESS:</p> <p>10 A. Rephrase it, please.</p> <p>11 BY MR. FOWLER:</p> <p>12 Q. Did you work for anybody else 13 while you were employed by the village?</p> <p>14 MR. COOPER: Fifth.</p> <p>15 BY THE WITNESS:</p> <p>16 A. Fifth Amendment.</p> <p>17 BY MR. FOWLER:</p> <p>18 Q. Just to be clear, I'm -- I hear 19 what you're saying. My recollection is 20 and I don't have the detail right at my 21 head, but that you did some security work 22 for somebody while you were a police officer, 23 is that true?</p> <p>24 MR. COOPER: I'd like for you</p>	
<p>1 please, is that your signature on the 2 officer's signature line?</p> <p>3 (Document tendered 4 to the witness.)</p> <p>5 BY THE WITNESS:</p> <p>6 A. I really can't tell. It's just two 7 vague lines.</p> <p>8 BY MR. FOWLER:</p> <p>9 Q. Okay. Is the date on that -- do 10 you recognize that writing?</p> <p>11 A. Looks vaguely familiar.</p> <p>12 Q. Was it yours?</p> <p>13 A. Could be.</p> <p>14 Q. Did you -- you were aware that one 15 of the rules at the village is that you need 16 to get permission for secondary employment?</p> <p>17 MR. COOPER: One second.</p> <p>18 MR. CASPER: Objection, form.</p> <p>19 MR. COOPER: All right. You 20 can answer that.</p> <p>21 BY THE WITNESS:</p> <p>22 A. Yes, I am.</p> <p>23 BY MR. FOWLER:</p> <p>24 Q. And just to be clear, the secondary</p>	27	<p>1 to come back to a question or to 2 withdraw the question and ask it 3 in another way. Otherwise, I 4 will instruct him to assert his 5 Fifth Amendment right to remain 6 silent.</p> <p>7 MR. FOWLER: I'll stand on 8 the question.</p> <p>9 MR. COOPER: Then I would 10 suggest that you assert your 11 Fifth Amendment right.</p> <p>12 BY THE WITNESS:</p> <p>13 A. Fifth Amendment.</p> <p>14 BY MR. FOWLER:</p> <p>15 Q. Did you ever submit a request to 16 your supervisors for permission to work 17 another job?</p> <p>18 MR. COOPER: Fifth.</p> <p>19 BY THE WITNESS:</p> <p>20 A. Fifth Amendment.</p> <p>21 BY MR. FOWLER:</p> <p>22 Q. Are you aware of any other police 23 officers employed by the Village of Melrose 24 Park who were involved in a business with</p>	29

John Scatchell, Jr.

August 5, 2020

<p>1   <b>a convicted felon?</b></p> <p>2   A. What I'm aware of --</p> <p>3       MR. CASPER: Hang on.</p> <p>4       Object to form and foundation.</p> <p>5   <b>BY THE WITNESS:</b></p> <p>6       A. What I am aware is after you guys</p> <p>7       served me with charges, Deputy Chief Rogowski</p> <p>8       went to all of his buddies that were at the</p> <p>9       station and made sure they put extra secondary</p> <p>10      employment forms in. That's what I'm aware</p> <p>11      of.</p> <p>12   <b>BY MR. FOWLER:</b></p> <p>13       <b>Q. So that wasn't the question that</b></p> <p>14       <b>I asked you. The question I asked you is</b></p> <p>15       <b>while -- are you aware of any police officer</b></p> <p>16       <b>employed by the Village of Melrose Park who</b></p> <p>17       <b>was also working for a convicted felon?</b></p> <p>18       MR. CASPER: Renew my</p> <p>19       objection.</p> <p>20       MR. COOPER: I think you need</p> <p>21       to assert the Fifth on this one</p> <p>22       because the way it was asked.</p> <p>23   <b>BY THE WITNESS:</b></p> <p>24       A. Fifth.</p>	<p>30</p> <p>1       MR. CASPER: Object to</p> <p>2       form, foundation.</p> <p>3   <b>BY THE WITNESS:</b></p> <p>4       A. Fifth Amendment. Fifth Amendment,</p> <p>5       I repeat.</p> <p>6   <b>BY MR. FOWLER:</b></p> <p>7       <b>Q. So if I ask you any questions</b></p> <p>8       <b>relating to the incident where you were</b></p> <p>9       <b>approached by a conservation officer in</b></p> <p>10      <b>November 2017, you're going to assert your</b></p> <p>11      <b>Fifth Amendment rights?</b></p> <p>12       A. Fifth Amendment.</p> <p>13       MR. CASPER: Objection, assumes</p> <p>14       facts not established.</p> <p>15       MS. SCATCHELL: Can we take a</p> <p>16       quick break?</p> <p>17       MR. COOPER: I don't want to</p> <p>18       do that. Just give me a second.</p> <p>19       (Brief pause.)</p> <p>20       MR. COOPER: Okay. So</p> <p>21       objection, assumes facts not in</p> <p>22       evidence and if the record isn't</p> <p>23       clear, my client did assert his</p> <p>24       Fifth Amendment right during this</p>
<p>31</p> <p>1   <b>BY MR. FOWLER:</b></p> <p>2       <b>Q. Are you aware of any police officers</b></p> <p>3       <b>employed by the Village of Melrose Park who</b></p> <p>4       <b>went hunting with a convicted felon?</b></p> <p>5       A. Fifth.</p> <p>6       <b>Q. Let's talk about November 20th of</b></p> <p>7       <b>2017.</b></p> <p>8       <b>You recall that day, right?</b></p> <p>9       MR. COOPER: Well, object to</p> <p>10      form. If you understand the question,</p> <p>11      you can answer the question.</p> <p>12       MR. BERSANI: Can I ask the</p> <p>13      question to be repeated, please?</p> <p>14       MR. FOWLER: Want to read it</p> <p>15      back, please, Lori?</p> <p>16       (Whereupon, the requested</p> <p>17      portion of the record was</p> <p>18      read accordingly.)</p> <p>19   <b>BY THE WITNESS:</b></p> <p>20       A. I recall it was a day in November.</p> <p>21   <b>BY MR. FOWLER:</b></p> <p>22       <b>Q. You recall an occasion in November</b></p> <p>23       <b>of 2017 when you and others were out hunting</b></p> <p>24       <b>and were approached by a conservation officer?</b></p>	<p>31</p> <p>1       time.</p> <p>2       And now this -- if a</p> <p>3       break is okay for a moment, I'm</p> <p>4       okay with it. I just wanted to</p> <p>5       clear up any ambiguity around that</p> <p>6       last question.</p> <p>7       MR. FOWLER: Sure. If you want</p> <p>8       to take a break, take a break.</p> <p>9       MR. CASPER: We don't need a</p> <p>10      break.</p> <p>11       MS. SCATCHELL: We're fine.</p> <p>12       MR. COOPER: You don't?</p> <p>13       MR. CASPER: We just talked about</p> <p>14      it.</p> <p>15       MR. COOPER: Okay. Please.</p> <p>16   <b>BY MR. FOWLER:</b></p> <p>17       <b>Q. And just to be clear, you recall</b></p> <p>18       <b>sitting for an interrogation with me on or</b></p> <p>19       <b>about January 9, 2018?</b></p> <p>20       MR. COOPER: That's okay.</p> <p>21   <b>BY THE WITNESS:</b></p> <p>22       A. Yes, I do.</p> <p>23   <b>BY MR. FOWLER:</b></p> <p>24       <b>Q. And during that interrogation,</b></p>

John Scatchell, Jr.

August 5, 2020

<p>1 you were given an order to answer the 2 questions that I asked you truthfully? 3 A. Yes. 4 Q. During that interrogation, I 5 asked you a number of questions, right? 6 A. Yes, you did. 7 Q. And you answered to the best of 8 your ability? 9 MR. COOPER: Objection, 10 Fifth. 11 BY THE WITNESS: 12 A. Fifth Amendment. 13 MR. COOPER: No objection. 14 Fifth Amendment. 15 BY MR. FOWLER: 16 Q. And do you recall during that 17 interrogation that you were asked questions 18 about what happened on November 20, 2017? 19 MR. COOPER: You go ahead 20 and take the Fifth. 21 BY THE WITNESS: 22 A. Fifth Amendment. 23 BY MR. FOWLER: 24 Q. So do I understand correctly that</p>	<p>1 establish the parameters of what 2 you're going to take the Fifth on 3 or do I have to go through 4 question-by-question everything 5 that happened on November 20th? 6 That's my point here. 7 BY MR. FOWLER: 8 Q. So to the extent that your 9 attorney objected based on facts not in 10 evidence, you're aware that a transcript 11 was done of the interrogation? 12 MR. COOPER: You can answer 13 that. 14 BY THE WITNESS: 15 A. I'm not aware of one, but I'm 16 sure there was one because there was a 17 court reporter. 18 BY MR. FOWLER: 19 Q. You never read it? 20 A. I've read it ages ago, so I don't... 21 (Document marked as Scatchell 22 Junior Exhibit No. 41 for 23 identification, 08/05/2020.) 24</p>
<p>1 even though you answered the questions during 2 the interrogation, any question I ask you 3 today based on that incident, you're going 4 to assert your Fifth Amendment? 5 MR. COOPER: Objection to 6 reference -- or to the words 7 that incident, assumes facts 8 not in evidence, misrepresentation 9 of what the deponent has already 10 testified to. I would take the 11 Fifth. 12 MR. CASPER: I'm going to make 13 an objection to -- excuse me for 14 this, but to inquire of the witness 15 in a way in this deposition to get 16 him to adopt statements he made 17 while he was under a Garrity warning 18 would appear to be a Garrity violation. 19 I object to this line of 20 questioning on that basis. 21 MR. FOWLER: That certainly 22 wasn't the intent and I don't think 23 that that's what I have been doing. 24 What I need to do is just</p>	<p>35</p> <p>1 BY MR. FOWLER: 2 Q. So if you would take a look at 3 Exhibit 41. You will see that the transcript 4 has page numbers on each page. What I'm 5 referring to is what starts on Page 142 of 6 Exhibit No. 41. 7 A. (Witness complied.) 8 MR. BERSANI: You said 42? 9 MR. FOWLER: 142. 10 MR. BERSANI: Thank you. 11 MR. COOPER: Okay. Is there 12 a question pending? I'm sorry. 13 MR. FOWLER: Not yet. 14 MR. COOPER: Okay. 15 BY MR. FOWLER: 16 Q. So for the purpose of my question 17 to the extent that your attorney objected 18 to facts not in evidence, what I'm referring 19 to is the incident that starts on Page 142. 20 Do you see that? 21 A. I do. 22 Q. So is it your position that you're 23 not going to answer any questions that 24 I ask you relating to the incident that was</p> <p>37</p>

John Scatchell, Jr.

August 5, 2020

	38		40
<p>1 discussed starting on Page 142 based upon      2 Fifth Amendment?</p> <p>3 MR. COOPER: All right. Object      4 to the use of the word incident as      5 not representative of the witness's      6 testimony here today.</p> <p>7 Jeff, I'm going to instruct      8 him that -- or suggest to him it's      9 best that he assert the Fifth unless,      10 of course, you can reword the sentence.</p> <p>11 MR. FOWLER: I'll stand on it as      12 I asked it.</p> <p>13 BY THE WITNESS:</p> <p>14 A. Fifth Amendment.</p> <p>15 BY MR. FOWLER:</p> <p>16 Q. Okay. So after November 20th of      17 2017, did you have any communications with      18 any of your supervisors at the police      19 department about having contact with a      20 conservation officer?</p> <p>21 A. Fifth Amendment.</p> <p>22 Q. You were present during hearings      23 before the board that consists of Mr. Rauzi      24 and Mr. Caputo and Mr. Esposito, right?</p>		<p>1 foundation.      2 MR. COOPER: Objection,      3 competency which goes to the      4 decision -- a decision that I      5 would have made as to who would      6 testify as a witness.</p> <p>7 However, my client      8 may answer the question. He's      9 welcome to.</p> <p>10 THE WITNESS: Can you repeat      11 it one more time? I'm sorry.      12 (Whereupon, the requested      13 portion of the record was      14 read accordingly.)</p> <p>15 BY THE WITNESS:</p> <p>16 A. Yes.</p> <p>17 BY MR. FOWLER:</p> <p>18 Q. And you spoke to Mr. Paoletti a      19 couple of times before he testified, right?</p> <p>20 A. Fifth Amendment.</p> <p>21 Q. You spoke to Mr. Paoletti the evening      22 before he testified?</p> <p>23 A. Fifth Amendment.</p> <p>24 Q. Isn't it true that Mr. Paoletti</p>	
	39		41
<p>1 A. I was.      2 Q. And those hearings related to the      3 charges against you relating for misconduct,      4 right?</p> <p>5 MR. CASPER: Object to      6 form, foundation.</p> <p>7 BY THE WITNESS:</p> <p>8 A. Have there been any other officers      9 that have gone before the board recently?</p> <p>10 BY MR. FOWLER:</p> <p>11 Q. You can answer that question.</p> <p>12 A. Repeat it again.</p> <p>13 MR. FOWLER: Would you read      14 it back, please?      15 (Whereupon, the requested      16 portion of the record was      17 read accordingly.)</p> <p>18 BY THE WITNESS:</p> <p>19 A. I believe so.</p> <p>20 BY MR. FOWLER:</p> <p>21 Q. During that hearing, you -- your      22 attorneys presented the testimony from      23 Mr. Paoletti, correct?</p> <p>24 MR. CASPER: Object to</p>		<p>1 told you that he believed you're likely      2 to get disciplined for misconduct?      3 A. Fifth Amendment.</p> <p>4 Q. You were present when he testified      5 though, right?</p> <p>6 A. I was.      7 Q. You heard him testify that he      8 told you the night before that you were      9 subject to discipline for misconduct, right?</p> <p>10 MR. CASPER: Objection to      11 form, foundation.</p> <p>12 MR. COOPER: Just -- go ahead.</p> <p>13 BY THE WITNESS:</p> <p>14 A. Fifth Amendment.</p> <p>15 BY MR. FOWLER:</p> <p>16 Q. You're familiar with an Officer      17 Phillip Negron?</p> <p>18 A. I am.</p> <p>19 Q. Did I pronounce that right?</p> <p>20 A. I believe you did.</p> <p>21 Q. You're aware that -- well, strike      22 that.</p> <p>23 Are you aware that at one      24 point your father recommended discipline</p>	

John Scatchell, Jr.

August 5, 2020

<p>1   <b>against Officer Negron for abusing sick 2   leave?</b></p> <p>3        MR. CASPER: Object to 4        foundation.</p> <p>5        MR. COOPER: Objection, 6        competency. He can't speak for 7        his dad. He's able to answer 8        the question if he can.</p> <p>9   <b>BY THE WITNESS:</b></p> <p>10      A. I'm aware there was something 11     with Phil, but that was before I even got 12     on the department, so that's way above my 13     purview.</p> <p>14   <b>BY MR. FOWLER:</b></p> <p>15      <b>Q. So my question to you is were 16     you aware that your father had recommended 17     discipline against him for abuse of sick 18     leave?</b></p> <p>19      MR. CASPER: Same objection.</p> <p>20   <b>BY THE WITNESS:</b></p> <p>21      A. I have no direct knowledge of that, 22     no.</p> <p>23   <b>BY MR. FOWLER:</b></p> <p>24      <b>Q. Have you ever spoken to your father</b></p>	<p>42</p> <p>1   <b>spoken with your father about Kyll Lavalais?</b> 2        A. I wouldn't put a number on it.</p> <p>3        <b>Q. Have you ever had any conversations 4        with your dad about Kyll Lavalais's 5        grievances?</b></p> <p>6        A. I've had conversations with my 7        father about everybody who showed up to vote 8        against Kyll that day getting a promotion 9        and everybody that went against my father 10      in the subsequent vote got a promotion and 11      then everybody else that didn't vote for 12      the powers that be, they got to pay the 13      Scatchell tax. You know, that goes around 14      the department, the Scatchell tax.</p> <p>15        Yeah. That basically 16      means that anybody that was friends with 17      me, friends with my father, they're either 18      bottom of the sergeant list or told not to 19      hang out with me so they don't go to tact 20      or five other things. It's -- I think you 21      know where I'm going with this, Jeff.</p> <p>22      <b>Q. Anything else you'd like to say?</b> 23      A. Eh, not right now.</p> <p>24      MR. FOWLER: Would you read</p>
<p>43</p> <p>1   <b>about Officer Negron?</b></p> <p>2      A. Just in passing of he's a cool guy 3      since I got on the department. I have nothing 4      but good things to say about Phil despite what 5      the administration might have to say, but --</p> <p>6      <b>Q. Did you ever --</b></p> <p>7      A. -- that's about it.</p> <p>8      <b>Q. I'm sorry? I didn't mean to --</b></p> <p>9      A. I said that's about it that I can 10     recall at this time.</p> <p>11      <b>Q. Have you ever spoken with your 12     father about Officer Negron abusing sick 13     leave?</b></p> <p>14      A. No, I can't -- I don't believe I 15     did.</p> <p>16      <b>Q. And just to be clear, your father 17     is John J. Scatchell?</b></p> <p>18      A. He is.</p> <p>19      <b>Q. He is the plaintiff in this lawsuit?</b></p> <p>20      A. Yes.</p> <p>21      <b>Q. Have you ever had any conversations 22     with your father concerning Kyll Lavalais?</b></p> <p>23      A. Yes.</p> <p>24      <b>Q. How many conversations have you</b></p>	<p>43</p> <p>1   <b>the question back, please?</b> 2        (Whereupon, the requested 3        portion of the record was 4        read accordingly.)</p> <p>5        MR. COOPER: Objection, asked 6        and answered.</p> <p>7        You still can answer.</p> <p>8   <b>BY THE WITNESS:</b></p> <p>9      A. Yes.</p> <p>10     <b>BY MR. FOWLER:</b></p> <p>11      <b>Q. When did you talk to your dad 12     about Kyll Lavalais's grievances?</b></p> <p>13      MR. COOPER: Objection, 14      asked and answered.</p> <p>15   <b>BY THE WITNESS:</b></p> <p>16      A. Well, it's still an ongoing 17      discussion because that's the basis of the 18      entire lawsuit is that they retaliated 19      against my father because he took a stand 20      for the only black officer in the department.</p> <p>21   <b>BY MR. FOWLER:</b></p> <p>22      <b>Q. When is the last time you talked 23     to your dad about Kyll Lavalais's grievances?</b></p> <p>24      A. I don't know.</p>

John Scatchell, Jr.

August 5, 2020

<p>1     <b>Q. Where did the conversation take 2 place?</b></p> <p>3     A. Couldn't recall.</p> <p>4     <b>Q. Who was present?</b></p> <p>5     A. Me and my dad.</p> <p>6     <b>Q. During that conversation, what 7 did you say and what did he say?</b></p> <p>8     A. You're talking about hypothetical 9 conversations that spans the course of three 10 or four years since Kyll's grievances. 11 So...</p> <p>12    <b>Q. As you sit here today, do you 13 recall any of the conversations between 14 you and your dad concerning Kyll Lavalais's 15 grievances?</b></p> <p>16    A. Yeah. I recall Director Pitassi 17 being completely upset about it calling 18 him a nigger and calling him a bunch of 19 other things. I remember that conversation --</p> <p>20    <b>Q. Okay.</b></p> <p>21    A. -- very well because I was appalled 22 by it.</p> <p>23    <b>Q. Who was that conversation with?</b></p> <p>24    A. It was with my father.</p>	<p>46</p> <p>1     as to witness's past testimony. 2     My recollection is that there was 3     more than one conversation. 4       I think, Jeff, your 5     question refers to a single 6     conversation.</p> <p>7     BY MR. FOWLER:</p> <p>8     <b>Q. I'm certainly referring to the 9 one you just told me about, so we're 10 talking about that one for right now. 11 That's the one that you said you recall, 12 right?</b></p> <p>13    A. I just recall what was just said.</p> <p>14    <b>Q. All right. So what I need to 15 do is what's called establish a foundation 16 for that conversation. You don't recall 17 when it took place?</b></p> <p>18    A. Whenever Kyll's first grievance 19 was submitted and he wanted to sue, that's 20 when he made the statement, Pitassi did.</p> <p>21    <b>Q. And do you know when that was 22 as you sit here today?</b></p> <p>23    A. No. Again, we're talking about 24 four years. We're milling through 9 million</p>
<p>47</p> <p>1     <b>Q. You were present?</b></p> <p>2     A. No, he told me about it.</p> <p>3     <b>Q. What --</b></p> <p>4     A. And he couldn't wait to tell me 5 about it the minute he left there because 6 it's absolutely reprehensible that a police 7 chief in this day and age uses that fucking 8 language. Okay.</p> <p>9     <b>Q. So the conversation that we're --</b></p> <p>10    A. I'm sorry, a police director. He's 11 not a chief anymore. He's a civilian.</p> <p>12    <b>Q. Are you finished?</b></p> <p>13    A. I'm finished.</p> <p>14    <b>Q. The conversation that you were 15 referring to with you and your dad, where 16 did that conversation take place?</b></p> <p>17    MR. CASPER: Object to 18 form.</p> <p>19    BY THE WITNESS:</p> <p>20    A. I couldn't recall at this time.</p> <p>21    BY MR. FOWLER:</p> <p>22    <b>Q. When did it take place?</b></p> <p>23    A. Right after it occurred.</p> <p>24    MR. COOPER: Just an objection</p>	<p>49</p> <p>1     documents. I couldn't tell you exactly when 2 that occurred.</p> <p>3     <b>Q. Anybody present during that 4 conversation?</b></p> <p>5     A. Me and my father.</p> <p>6     <b>Q. During that conversation, what 7 did he say and what did you say?</b></p> <p>8     A. I pretty much already said what 9 he said. He said that Pitassi was irate 10 because Kyll was suing, referred to him 11 as a nigger and just completely degraded 12 him as a human being because he had the 13 right to sue because he was discriminated 14 against. Let's call it what it is. It's 15 discrimination.</p> <p>16       This department discriminates 17 against black people all the time. It's no 18 secret. They fired Angela Williams so they 19 could hire Gary Montino's kid. Are you kidding 20 me? Convicted felon Gary Montino.</p> <p>21    <b>Q. Anything else?</b></p> <p>22    A. No.</p> <p>23    <b>Q. Do you recall any other conversations 24 between you and your dad about Kyll Lavalais's</b></p>

John Scatchell, Jr.

August 5, 2020

<p>50</p> <p>1 <b>grievances as you sit here today?</b>      2 MR. COOPER: Objection,      3 asked and answered. He said yes.      4 MR. CASPER: Join.      5 BY MR. FOWLER:      6 <b>Q. You told me about one.</b>      7       <b>Is there any others that</b>      8 <b>you recall?</b>      9       A. Not off the top of my head right      10 now.      11      <b>Q. Angela Williams, do you know why</b>      12 <b>she was let go?</b>      13      A. Residency. So --      14      MR. CASPER: Sorry. I know      15       you answered. Object to foundation.      16 BY THE WITNESS:      17     A. The rumor was residency and the      18 funny thing about rumors is you happen to      19 know a lot about the department when you      20 work in patrol and you know who lives in      21 town and you know who doesn't and certain      22 people just get promoted up the ladder      23 while still living out of town.      24 Sergeant Steve Pesch,</p>	<p>52</p> <p>1 BY MR. FOWLER:      2      <b>Q. Anything else?</b>      3      A. No. It's just a tangled web of      4 nepotism and deceit.      5      <b>Q. Who did you hear the rumor from?</b>      6      A. All over the station.      7      <b>Q. Anybody in particular?</b>      8      A. No, not that I recall at this      9 time.      10     MR. CASPER: I'm sorry to      11 interrupt.      12     Could we just have the      13 witness state who Harpo is referring      14 to on this part of the transcript?      15     THE WITNESS: Harpo is a nickname      16 for Gary Montino, which was Vito      17 Scavo's deputy chief and Deputy      18 Chief Castellan is very good friends      19 still.      20     MR. CASPER: Thank you.      21 BY MR. FOWLER:      22      <b>Q. Did you ever have any conversations</b>      23 <b>with your father concerning the residency</b>      24 <b>requirement?</b></p>
<p>51</p> <p>1 because he's Castellan's friend, was allowed      2 to live in Carol Stream and Homer Glen before      3 he ever moved here but then they promoted      4 him to sergeant.      5       Jerry Manzel, they promoted      6 him to detective and he still doesn't live      7 in town, told his neighbor you'll never see      8 my family here ever because I don't live      9 here. How is that allowed? Why? Because      10 they bought a house from Rosa or Donna      11 Serpico or Pitassi. How is that allowed?      12 BY MR. FOWLER:      13      <b>Q. Anything else?</b>      14      A. No. Your floor. I yield back.      15      <b>Q. Do you have any personal knowledge</b>      16 <b>as to why Angela Williams was let go?</b>      17      MR. COOPER: Objection,      18       asked and answered.      19 BY THE WITNESS:      20     A. The rumor was that they wanted to      21 take care of Harpo for being a good little      22 soldier so they gave his kid a job and then      23 they -- after that, they put him on the      24 fire department.</p>	<p>53</p> <p>1      A. Plenty.      2      <b>Q. As you sit here today, do you recall</b>      3 <b>any?</b>      4      A. Not in particular, but we've discussed      5 them.      6      <b>Q. Did you ever have any conversations</b>      7 <b>with your father about his -- about being</b>      8 <b>promoted to deputy chief?</b>      9      A. Yes.      10     <b>Q. When was that?</b>      11     A. Around the time that it would have      12 occurred.      13     <b>Q. How many conversations did you have?</b>      14     A. Impossible to measure.      15     <b>Q. How many do you recall as you sit</b>      16 <b>here today?</b>      17     A. Particular conversations, I don't      18 recall any. I know we discussed it.      19     <b>Q. Do you recall what you and he said</b>      20 <b>to each other about it?</b>      21     A. Just that Ronnie promised him      22 the deputy chief position as in Mayor      23 Serpico and I do recall that Director      24 Pitassi was irate because the rumor got</p>

John Scatchell, Jr.

August 5, 2020

	54		56
<p>1 back to him from Dino Dimaio that my dad      2 wanted his spot which was never the case.      3 Deputy chief was promised,      4 it was put on the agenda and then it was      5 revoked and given to Deputy Chief Rogowski --      6 well, at the time Lieutenant Rogowski for      7 no apparent reason.</p> <p>8       <b>Q. How do you know that Director</b>      9 <b>Pitassi was irate?</b></p> <p>10      A. That was what was told to me.</p> <p>11      <b>Q. Who told you?</b></p> <p>12      A. I can't recall.</p> <p>13      <b>Q. You didn't see Director Pitassi</b>      14 <b>being irate?</b></p> <p>15      A. I did not, no, but I -- I was      16 told also that he ran through the hallways      17 one day saying they want a war after the      18 article about his kid shooting his gun off      19 and then that spawn -- I mean, this is a      20 couple months between timeframe because I      21 was off work, you know, I had come back      22 and guys were actually making songs about      23 it. I don't know if you remember that      24 song, war, huh, and they were doing</p>		<p>1 of times. I just know we discussed it.</p> <p>2       <b>Q. Ever have any conversations with</b>      3 <b>your father about an incident with fireworks</b>      4 <b>or some kind of explosive on your driveway?</b></p> <p>5      A. Yes.</p> <p>6       <b>Q. When -- how many conversations?</b></p> <p>7      A. Numerous. I don't recall the      8 context of every one of them, but I know      9 there was numerous including that the      10 administration did not do their job at      11 all.</p> <p>12       <b>Q. Do you recall any of those</b>      13 <b>conversations as you sit here today?</b></p> <p>14      A. Particulars, no.</p> <p>15       <b>Q. Were you present that night when</b>      16 <b>there was -- something happened on the</b>      17 <b>driveway, the fireworks or explosion or</b>      18 <b>whatever?</b></p> <p>19      A. You're going to have to be a      20 little more descriptive of something      21 happened.</p> <p>22       <b>Q. Do you recall an occasion where</b>      23 <b>there was a loud bang on your driveway at</b>      24 <b>night?</b></p>	
	55		57
<p>1 impressions of the director, war, huh.      2 God no.</p> <p>3       <b>Q. Anything else?</b></p> <p>4      A. That's it.</p> <p>5       <b>Q. Any other conversations you recall</b>      6 <b>as you sit here today with your father about</b>      7 <b>his promotion?</b></p> <p>8      A. Just the fact that he got stabbed      9 in the back.</p> <p>10       <b>Q. When did that conversation take</b>      11 <b>place?</b></p> <p>12      A. Just an overall consensus of what      13 the conversations would have consisted of.      14 I don't recall any particular conversations.</p> <p>15       <b>Q. All right. Ever have any</b>      16 <b>conversations with your father about an</b>      17 <b>incident involving Mr. Morales?</b></p> <p>18      A. Yes.</p> <p>19       <b>Q. When did those conversations take</b>      20 <b>place -- strike that.</b></p> <p>21           <b>How many conversations</b>      22 <b>did you have with your dad about Morales?</b></p> <p>23      A. Again, I don't recall specific      24 conversations and I don't recall the amount</p>		<p>1      A. I recall an occasion where there      2 was dynamite blown up on my driveway, at      3 least an M-80 or a half stick. I would have      4 to guess based on the audibility of it and      5 the way my house shook.</p> <p>6       <b>Q. You were present?</b></p> <p>7      A. I was present. I was inside my      8 parent's bedroom watching a movie with      9 them.</p> <p>10       <b>Q. And you heard a loud noise?</b></p> <p>11      A. I heard an explosion, not a loud      12 noise, an explosion.</p> <p>13       <b>Q. And you went out -- did you go</b>      14 <b>outside?</b></p> <p>15      A. I did.</p> <p>16       <b>Q. What did you see?</b></p> <p>17      A. I saw fragments of what looked      18 like M-80 or half sticks because it's all      19 red wrapping and frayed firework display      20 of M-80 caliber.</p> <p>21           I mean, it was -- you could      22 see there was a circular tube there the      23 size of an M-80 but naturally the evidence      24 technicians didn't take anything so -- and</p>	

John Scatchell, Jr.

August 5, 2020

	58		60
<p>1 then this guy didn't do any follow-up work,  2 Rogowski.</p> <p>3     <b>Q. How do you know that?</b></p> <p>4     A. He didn't ask me any questions.</p> <p>5 I was a witness. Leonard next door was a  6 witness. He didn't ask him any questions.</p> <p>7 Why? Because he is black.</p> <p>8     <b>Q. Anything else?</b></p> <p>9     A. That's it.</p> <p>10    <b>Q. Any damage to the driveway?</b></p> <p>11    A. There is still a stain on the  12 driveway, yeah.</p> <p>13    <b>Q. Other than the stain, any other  14 damage?</b></p> <p>15    A. It came within three feet of my  16 truck, so you could exasperate if the  17 offender had a better arm, he would have  18 blown up my truck.</p> <p>19    <b>Q. Was your truck damaged?</b></p> <p>20    A. To my recollection, no.</p> <p>21    <b>Q. And the stain you referred to, was  22 it within three feet of your truck?</b></p> <p>23    A. Yes.</p> <p>24    <b>Q. Any conversations with your dad</b></p>		<p>1 Director Pitassi told him the eyes of Texas  2 are upon you, which by the way is a racist  3 statement, has racist connotations but anyhow,  4 the eyes of Texas were upon my father -- we  5 had an agreement. I'm going to finish and  6 then you can talk. The eyes of Texas --</p> <p>7     <b>Q. I --</b></p> <p>8     A. Well, you were getting ready.  9                 The eyes of Texas were  10 upon my father meantime this other station  11 supervisor, his opposite Dino Dimaio, was  12 allowed to just go run amok, still, still  13 runs amok. He's a station supervisor.  14                 He gets a personal car  15 to run around in, throw the people's elbow  16 to anybody who's locked up. Oh, we didn't  17 know that?</p> <p>18     <b>Q. Anything else?</b></p> <p>19     A. Go ahead.</p> <p>20     <b>Q. What's the basis of your statement  21 that the words the eyes of Texas are on you  22 has racial connotations?</b></p> <p>23                 MR. CASPER: Object -- go  24 ahead.</p>	
<p>1 <b>about being assigned a station supervisor?</b></p> <p>2     A. Yes.</p> <p>3     <b>Q. As you sit here today, do you  4 recall any of those?</b></p> <p>5     A. Specific conversations, no. What  6 we discussed, perhaps.</p> <p>7     <b>Q. What did you discuss with your dad  8 about being assigned a station supervisor?</b></p> <p>9     A. That Pitassi did the same thing  10 he did to his former best friend, Johnny  11 Simpson, stuffed him in the fucking hole.</p> <p>12    <b>Q. Anything else?</b></p> <p>13    A. The fact that it was an absolute  14 travesty because he took away his entire  15 supervision when my dad's shift, in  16 everybody's opinion, was the best shift  17 on the department.</p> <p>18    <b>Q. Anything else?</b></p> <p>19    A. Not that I recall, no.</p> <p>20    <b>Q. Any conversations --</b></p> <p>21    A. Oh, wait. I do recall something.  22 Can I have the floor back, Jeff?</p> <p>23    <b>Q. Sure.</b></p> <p>24    A. Okay. I do recall that</p>	59		61

John Scatchell, Jr.

August 5, 2020

<p>1     <b>Q. Does that mean, no, you didn't --</b>      2     A. It means no.      3     <b>Q. Did you ever have any conversations</b>      4     <b>with your dad about him having computer access</b>      5     <b>once he became station supervisor?</b>      6     A. Yes. He didn't have a computer      7     in his office.      8     <b>Q. And when did those -- as you sit</b>      9     <b>here today, do you recall any of those</b>      10    <b>conversations?</b>      11    A. Particular conversations, no.      12    <b>Q. Ever have any conversations with</b>      13    <b>your dad about his retirement plans?</b>      14    A. Sure.      15    <b>Q. As you sit here today, do you</b>      16    <b>recall any of those?</b>      17    A. Well, he's retired right now      18    loving every second of it.      19    <b>Q. Anything else?</b>      20    MR. CASPER: Objection. I      21    move to strike that answer.      22    BY THE WITNESS:      23    A. As far as retirement goes, he's      24    enjoying his retirement.</p>	<p>62</p> <p>1     might get a promotion, they couldn't have      2     that because that gets in the way of all      3     of their traditions and old ways, the ways      4     they learned from Vito Scavo.      5     <b>Q. When did you have the discussion</b>      6     <b>with your dad about him planning to be</b>      7     <b>deputy chief for a little bit?</b>      8     A. It would have been around the      9     time that he was told by Mayor Serpico      10    that he was going to be promoted.      11    <b>Q. Where did the conversation take</b>      12    <b>place?</b>      13    A. Jeff, again, specific conversations,      14    I can't tell you three or four years ago      15    where they took place.      16    <b>Q. Anybody else present?</b>      17    A. I doubt it.      18    <b>Q. And when you said it was around</b>      19    <b>the time, was it after the promotion to</b>      20    <b>deputy chief had been posted or before</b>      21    <b>then?</b>      22    A. I wouldn't be able to recall that.      23    <b>Q. Okay. During that conversation,</b>      24    <b>do you know who was present?</b></p>
<p>63</p> <p>1     MR. CASPER: Object. Move      2     to strike that answer.      3    BY MR. FOWLER:      4     <b>Q. The question that I asked you is</b>      5     <b>did you have any discussions with your dad</b>      6     <b>about his retirement plans?</b>      7     A. I said sure, yes.      8     <b>Q. As you sit here today, do you</b>      9     <b>recall any of those?</b>      10    A. Be descriptive as what do you mean      11    by plans, after retirement, retiring when?      12    What do you --      13    <b>Q. That's fair. That's fair.</b>      14     And as I said at the beginning,      15    if you don't understand a question I ask you,      16    please let me know.      17     So prior to his retirement,      18    did you have any discussions with your dad      19    about when he would plan to retire?      20    A. We discussed that he planned to be      21    deputy chief for a little bit and he wanted      22    to right the ship of this department that's      23    obviously going in a wrong direction and      24    once the powers that be found out that he</p>	<p>63</p> <p>1     A. Me and my father.      2     <b>Q. Anybody else?</b>      3     A. I don't recall specific conversations      4     so obviously I couldn't recall who was there      5     besides me and my father.      6     <b>Q. During that conversation that you</b>      7     <b>do recall, what did he say and what did you</b>      8     <b>say?</b>      9     A. Just that he really wanted to      10    right the ship of this department and guys      11    were behind him, guys really wanted him      12    to be deputy chief and for whatever reason      13    the three men sitting across from me didn't      14    like that or at least two of them.      15     <b>Q. How do you know that?</b>      16     A. Because they can't keep their mouth      17    shut and they tell everybody in town and then      18    it comes back to you.      19     <b>Q. So let me go that direction then.</b>      20     Have you ever heard Deputy      21    Chief Castellan say anything about your      22    father's retirement?      23     A. About my father's retirement      24    specifically?</p>

John Scatchell, Jr.

August 5, 2020

	66		68
<p>1     <b>Q. Yes.</b></p> <p>2     A. Just that he's got to be out by 62.</p> <p>3     <b>Q. Anything else?</b></p> <p>4     A. Not that I recall at this time.</p> <p>5     <b>Q. And the out by 62 refers to all</b></p> <p>6     <b>police officers, doesn't it?</b></p> <p>7         MR. CASPER: Objection,</p> <p>8             foundation.</p> <p>9     BY THE WITNESS:</p> <p>10    A. That refers to yet another ordinance</p> <p>11    that was enacted against my father just like</p> <p>12    the two gun ordinances were enacted against my</p> <p>13    father yet Nunzio Maiello violated it every</p> <p>14    day by having a gun right here.</p> <p>15    Is it because he's obese?</p> <p>16    Maybe we should have physical activity where</p> <p>17    you have to get a stipend based on if you</p> <p>18    could complete physical activities because</p> <p>19    there is a lot of ways to shipshape this</p> <p>20    department. They don't want to do any of</p> <p>21    it.</p> <p>22    MR. CASPER: For the record,</p> <p>23         when the witness said right here,</p> <p>24         he put his hand up to his chest.</p>		<p>1     A. I personally heard him run his</p> <p>2     snowplow business from his office during</p> <p>3     work hours.</p> <p>4     <b>Q. Did you hear the question that</b></p> <p>5     <b>I asked you?</b></p> <p>6     A. And I'm just telling you what I</p> <p>7     personally heard.</p> <p>8     <b>Q. Is there a reason why you don't</b></p> <p>9     <b>want to answer the question that I asked</b></p> <p>10    <b>you?</b></p> <p>11    A. I'm telling you what I personally</p> <p>12    heard.</p> <p>13    <b>Q. So my question was did you personally</b></p> <p>14    <b>hear Deputy Chief Castellan say --</b></p> <p>15    A. No, I just know.</p> <p>16    <b>Q. Let me finish my question. Okay?</b></p> <p>17    <b>Did you hear Deputy</b></p> <p>18    <b>Chief Castellan say that he couldn't wait</b></p> <p>19    <b>to get rid of your father?</b></p> <p>20    A. No. I just know because that's</p> <p>21    what I was told from everybody that was</p> <p>22    around or in his office at the time and,</p> <p>23    no, I don't recall particular people,</p> <p>24    but even if I did, which I don't and I'm</p>	
	67		69
<p>1     BY MR. FOWLER:</p> <p>2     <b>Q. Anything else?</b></p> <p>3     A. That's it.</p> <p>4     MR. FOWLER: Could you read my</p> <p>5     question back, please?</p> <p>6         (Whereupon, the requested</p> <p>7         portion of the record was</p> <p>8         read accordingly.)</p> <p>9     BY THE WITNESS:</p> <p>10    A. Just references that he can't wait</p> <p>11    to get rid of him, can't wait to get the</p> <p>12    thorn out of his side and that was again</p> <p>13    police station rumor, but when Deputy Chief</p> <p>14    Castellan wants you to know something, he</p> <p>15    is very vocal about it.</p> <p>16    He'll have a whole group in</p> <p>17    his office and he'll purposely say it out</p> <p>18    loud at roll call just so everybody hears</p> <p>19    it, so he spreads his own rumors. He's his</p> <p>20    own hype man.</p> <p>21    BY MR. FOWLER:</p> <p>22    <b>Q. Did you personally hear Deputy</b></p> <p>23    <b>Chief Castellan say that he can't wait to</b></p> <p>24    <b>get rid of your father?</b></p>		<p>1     not saying I do, but even if I did, you</p> <p>2     guys would call them here, ask them a</p> <p>3     bunch of questions with these three guys</p> <p>4     staring at them, and for the record,</p> <p>5     Deputy Chief Rogowski, Director Pitassi</p> <p>6     and Deputy Chief Castellan staring at</p> <p>7     them, intimidating them.</p> <p>8         They ain't going to say</p> <p>9         nothing. They'll look at me and say I</p> <p>10      don't want to end up like John Scatchell</p> <p>11      or John Scatchell, Sr. Okay.</p> <p>12         For three years, you</p> <p>13      guys have used me as your punching bag</p> <p>14      to get at my father, so I apologize for</p> <p>15      the record if I have sworn a few times,</p> <p>16      but it's something I'm pretty passionate</p> <p>17      about because you guys have had no</p> <p>18      consideration for me from beginning to</p> <p>19      end in this, including you, Mr. Fowler,</p> <p>20      with your ex parte conversations with my</p> <p>21      doctors.</p> <p>22    <b>Q. Anything else?</b></p> <p>23    A. No.</p> <p>24    <b>Q. Have you ever heard personally</b></p>	

John Scatchell, Jr.

August 5, 2020

<p style="text-align: right;">70</p> <p><b>1 Deputy Chief Castellan say anything about 2 your father?</b></p> <p>3 A. Yes.</p> <p>4 MR. CASPER: Object. Object 5 to asked and answered.</p> <p>6 BY MR. FOWLER:</p> <p>7 Q. What did you personally hear 8 Deputy Chief Castellan say about your 9 father?</p> <p>10 A. At a Cubs game him and I sat next 11 to each other --</p> <p>12 Q. Okay. What did he say about your 13 father?</p> <p>14 A. -- at a law enforcement game. 15 Well, he said something 16 to the effect of, well, Johnny babes, me 17 and your father, that's another story for 18 another day, but you can rest assured that 19 anything I do in my office is for the 20 safety of these officers. Really? Really? 21 Because anytime something 22 is turned over to him or turned over to 23 Director Pitassi unless it involves me or 24 somebody that's close to me or my father,</p>	<p style="text-align: right;">72</p> <p>1 have a cavalier conversation with the deputy 2 chief. When does that ever happen? But 3 then a few months later and right as that's 4 happening, you guys are putting in SOPs 5 about convicted felons, this, that and the 6 other and not telling anybody. 7 You guys are doing all 8 your little work behind the scenes already 9 when -- when all I was doing was doing my 10 job.</p> <p>11 MR. CASPER: Hang on. I 12 would object. Now, we're moving 13 way beyond the question that was 14 asked as a narrative. 15 I'm going to move to 16 strike all of this. This is way 17 nonresponsive to the question.</p> <p>18 BY MR. FOWLER:</p> <p>19 Q. Anything else you want to say?</p> <p>20 A. Your floor.</p> <p>21 MR. CASS: Jeff, I would 22 like to request a quick break.</p> <p>23 MR. FOWLER: Sure.</p> <p>24 MR. CASS: It's 2:00 o'clock.</p>
<p style="text-align: right;">71</p> <p>1 it just gets, shhhh, shhhh, shhhh, shuffled 2 off.</p> <p>3 Q. Anything else?</p> <p>4 A. No.</p> <p>5 Q. When did that Cubs game take place?</p> <p>6 A. That would have been right before 7 everything took place with me. So that would 8 have been, I think, May of 2017. It was the 9 law enforcement game. The whole -- the whole 10 department went. 11 And to lay you a little 12 foundation there, okay, I went to be cordial. 13 I didn't like Deputy Chief Castellan as a 14 person. I didn't like a lot of people as 15 persons, but guess what, I was cordial. 16 I was a good officer. I 17 was nice to everybody. And you know what? 18 After -- that was right after the FOP thing 19 happened. I tried to mend fences. I tried 20 to be nice. I grabbed people one-on-one. 21 Raul, Pesch, Gepetta, Natale. What's your 22 problem with my father? Why can't we all 23 get along here? Why can't things be normal? 24 I go to that Cubs game, I</p>	<p style="text-align: right;">73</p> <p>1 Thanks. 2 (Whereupon, after a short 3 break was had, the following 4 proceedings were held 5 accordingly.)</p> <p>6 BY MR. FOWLER:</p> <p>7 Q. You were just referring to a Cubs 8 game that you attended along with a number 9 of other officers and you had a conversation 10 with Deputy Chief Castellan. 11 Do you recall that 12 discussion?</p> <p>13 A. Yes.</p> <p>14 Q. That game was on May 17th of 2017, 15 isn't that right?</p> <p>16 A. If you're telling me, that means 17 you must have researched it, so I'm inclined 18 to believe you, but I'm not going to say for 19 certain that's the date.</p> <p>20 Q. Any reason to think that was not 21 the date?</p> <p>22 A. No reason to think not. I'm just 23 not certain. It makes sense. It's around 24 the time period.</p>

John Scatchell, Jr.

August 5, 2020

<p>1     <b>Q. In the fall of 2017, you went</b>  2     <b>hunting with Vito Scavo, didn't you?</b>  3     A. Fifth Amendment.  4     <b>Q. In the fall of 2017, you went</b>  5     <b>hunting with groups of people that included</b>  6     <b>Vito Scavo, right?</b>  7     A. Fifth Amendment.  8     <b>Q. In the fall of 2017, you went</b>  9     <b>hunting from your duck boat or your jon</b>  10     <b>boat with Vito Scavo --</b>  11     A. Fifth Amendment.  12     <b>Q. -- right?</b>  13     A. Fifth Amendment.  14     <b>Q. There were occasions when you</b>  15     <b>were on one end of the boat and Mr. Scavo</b>  16     <b>was on the other end of the boat in 2017,</b>  17     <b>isn't that right?</b>  18     A. Fifth Amendment.  19     <b>Q. The occasions that you went hunting</b>  20     <b>in 2017, you sometimes brought a second shotgun,</b>  21     <b>true?</b>  22     A. Fifth Amendment.  23  24</p>	<p>74</p> <p>1     A. Fifth Amendment.  2     MR. CASPER: Same objection.  3              Continuing objection  4              as to foundation as to all of  5              these questions.  6     BY MR. FOWLER:  7     <b>Q. If you take a look at the second</b>  8     <b>page of Exhibit 47.</b>  9              MR. COOPER: If it helps,  10              we'll stipulate, so you don't have  11              to go through each one, he's going  12              to take the Fifth as to each one.  13     BY MR. FOWLER:  14     <b>Q. And just to be clear, the second</b>  15     <b>page of Exhibit 47 that shows you carrying</b>  16     <b>two long gun cases, is that true?</b>  17     A. Fifth Amendment.  18              MR. COOPER: Jeff, when I  19              use the word stipulate, we'll --  20              maybe it's a bad choice of words.  21              He will take the Fifth  22              Amendment as to each image. I  23              have looked at them and that's  24              my suggestion.</p>
<p>75</p> <p>1         (Document marked as Scatchell  2              Junior Exhibit No. 47 for  3              identification, 08/05/2020.)  4     BY MR. FOWLER:  5     <b>Q. I'm handing you what's been marked</b>  6     <b>as Deposition Exhibit 47. Here's another</b>  7     <b>one.</b>  8         (Document tendered  9              to the witness.)  10     BY THE WITNESS:  11         A. Same -- same thing, Jeff?  12     BY MR. FOWLER:  13     <b>Q. Yeah, a copy.</b>  14         So right now I want to look  15         at the first page of Exhibit 47.  16         Do you recognize that as a  17         photo of you?  18         MR. CASPER: Object to  19              foundation.  20     BY THE WITNESS:  21         A. Fifth Amendment.  22     BY MR. FOWLER:  23     <b>Q. Who is the other individual in</b>  24     <b>the first page of Exhibit 47?</b></p>	<p>75</p> <p>1     BY MR. FOWLER:  2     <b>Q. All right. And just to be clear,</b>  3     <b>take a look at the third page of Exhibit 47,</b>  4     <b>the one that's marked 466 on the lower right</b>  5     <b>corner.</b>  6     A. Is there a question?  7         MR. CASPER: Hang on. 466?  8         MR. FOWLER: 466. It's actually  9              DSC00466, I think.  10         MR. CASPER: Got it.  11     BY MR. FOWLER:  12     <b>Q. Do you see that photo?</b>  13         A. (Witness nodded.)  14     <b>Q. Yes?</b>  15         A. Fifth Amendment.  16     <b>Q. And that's an image of you carrying</b>  17     <b>a box, isn't that true?</b>  18         A. Fifth Amendment.  19     <b>Q. If you take a look at the page</b>  20     <b>that's marked DSC00281, do you recognize</b>  21     <b>that as an image of the field where you</b>  22     <b>have a pit blind that you hunted in 2017?</b>  23         A. Fifth Amendment.  24     <b>Q. In 2017 you saw Mr. Scavo shooting</b></p>

John Scatchell, Jr.

August 5, 2020

<p>1   <b>from the pit blind, didn't you?</b></p> <p>2   A. Fifth Amendment.</p> <p>3   <b>Q. In 2017, you saw Mr. Scavo shooting</b></p> <p>4 from your boat?</p> <p>5   A. Fifth Amendment.</p> <p>6   <b>Q. Okay. So we were talking about</b></p> <p>7 conversations involving Deputy Chief</p> <p>8 Castellan and what I'm really focusing on</p> <p>9 is conversations that you heard Deputy</p> <p>10 Chief Castellan say something. Understand?</p> <p>11   <b>That if there is a question</b></p> <p>12 about whether you heard something from</p> <p>13 somebody else, that's going to be a separate</p> <p>14 question.</p> <p>15   <b>Do you understand?</b></p> <p>16   A. Okay.</p> <p>17   <b>Q. All right. Did you ever hear</b></p> <p>18 Deputy Chief Castellan say anything about</p> <p>19 your father having computer access?</p> <p>20   A. No.</p> <p>21   <b>Q. Did you ever hear Deputy</b></p> <p>22 Chief Castellan say anything about your</p> <p>23 father's participation in meetings as a</p> <p>24 station supervisor?</p>	<p>78</p> <p>1   <b>meetings?</b></p> <p>2   A. No, I was told.</p> <p>3   <b>Q. Who told you?</b></p> <p>4   A. Word around the station.</p> <p>5   <b>Q. You don't know?</b></p> <p>6   A. I can't recall at this time.</p> <p>7   <b>Q. Did you ever hear Deputy</b> <b>8 Chief Castellan say anything about the office</b> <b>9 that your father was assigned to as station</b> <b>10 supervisor?</b></p> <p>11   A. Just that it was referred to as the</p> <p>12 hole by him and Pitassi.</p> <p>13   <b>Q. Did you hear Deputy Chief Castellan</b> <b>14 say that?</b></p> <p>15   A. It's been referred to as the hole</p> <p>16 for many years.</p> <p>17   <b>Q. Have you heard Deputy Chief Castellan</b> <b>18 refer to it as the hole?</b></p> <p>19   A. Over the years, I probably did, yes.</p> <p>20   <b>Q. Do you recall any of those occasions</b></p> <p>21 specifically?</p> <p>22   A. Specifically, no, but it was a</p> <p>23 well-known fact that that office was</p> <p>24 referred to as the hole since Johnny</p>
<p>79</p> <p>1   A. Not direct personal knowledge, 2 but I was told what he said and all of the 3 supervisors except for my father were privy 4 to those meetings. He was not invited.</p> <p>5   <b>Q. Who told --</b></p> <p>6   A. Who? That was word amongst all 7 of the supervisors.</p> <p>8   <b>Q. You said that you were told. I'm</b></p> <p>9 asking who told you?</p> <p>10   A. One of the supervisors. I don't 11 remember who, one of my lieutenants at the 12 time or sergeants.</p> <p>13   <b>Q. It wasn't Deputy Chief Rogowski or</b></p> <p>14 Director Pitassi?</p> <p>15   A. To me?</p> <p>16   <b>Q. Yes.</b></p> <p>17   A. Not that I can recall at this time.</p> <p>18   <b>Q. Did you ever hear Deputy</b> <b>19 Chief Castellan say anything about your</b> <b>20 father's assignment as station supervisor?</b></p> <p>21   A. Just word of what he would say at 22 breakfast at Cafe 23 with all his group.</p> <p>23   <b>Q. So what I'm asking you is did</b> <b>24 you hear him say something at those breakfast</b></p>	<p>81</p> <p>1   Simpson.</p> <p>2   <b>Q. Anything else?</b></p> <p>3   A. No.</p> <p>4   <b>Q. Have you ever heard Deputy</b> <b>5 Chief Castellan make any statements relating</b> <b>6 to the incident that you referred to as the</b> <b>7 M-80 or some other kind of explosion?</b></p> <p>8   MR. CASPER: Objection,</p> <p>9 misstates the testimony.</p> <p>10   BY THE WITNESS:</p> <p>11   A. To my recollection, that</p> <p>12 investigation was given to Deputy Chief</p> <p>13 Rogowski and he was derelict in his duties</p> <p>14 there.</p> <p>15   BY MR. FOWLER:</p> <p>16   <b>Q. My question to you was have you</b> <b>17 ever heard Deputy Chief Castellan make any</b> <b>18 statements about that incident?</b></p> <p>19   A. Not that I can recall.</p> <p>20   <b>Q. Have you ever heard Deputy</b> <b>21 Chief Castellan make any statements about</b> <b>22 the Morales incident involving your father?</b></p> <p>23   A. To be clear, Deputy Chief Castellan</p> <p>24 and I, I would have to put it as the last</p>

John Scatchell, Jr.

August 5, 2020

<p>1 conversation we ever had face-to-face was 2 probably at that Cubs game, so that might 3 preempt a lot of your questions.</p> <p>4     <b>Q. I still have to ask the questions.</b> 5     A. Go ahead.</p> <p>6     <b>Q. Does that mean, no, you don't 7 recall any conversations or any statements 8 from Deputy Chief Castellan?</b></p> <p>9     A. Specifically with Deputy 10 Chief Castellan, I don't recall at this 11 time.</p> <p>12     <b>Q. Have you ever heard Deputy 13 Chief Castellan make any statements about 14 your father's promotion to deputy chief? 15 Sorry.</b></p> <p>16     A. Just what I was told around the 17 station again that he was livid about it, 18 he was beside himself, this guy is going 19 to be deputy chief, he is going to come 20 after the patrol division and he wants 21 what I got, nobody is getting what I got. 22         Those were the rumors 23 that were going around and they come right 24 from the breakfast table that he sits at.</p>	<p>82</p> <p>1 saying something about Kyll living out of 2 town, how this wasn't going to stand -- 3 again, that was one of his situations where 4 he purposely talks loud in roll call so 5 everybody hears it and when we were rotating 6 all three shifts, everybody had their turn 7 to be on dayshift. So everybody heard 8 whatever he wanted us to hear at the time. 9 BY MR. FOWLER:</p> <p>10     <b>Q. Okay. The comment that you're 11 just referring to, when did that take 12 place?</b></p> <p>13     A. I couldn't give you a time range. 14 I just know it was around -- around that 15 time period.</p> <p>16     <b>Q. Around what time period?</b> 17     A. When all the -- all the -- when 18 the start of this whole case occurred, all 19 the stuff with Kyll around that time. I 20 don't know exactly when it occurred.</p> <p>21     <b>Q. And where did the statement take 22 place?</b></p> <p>23     A. Well, it would have been in roll 24 call because you can hear him from his</p>
<p>83</p> <p>1 So... 2     <b>Q. But you never heard Deputy 3 Chief Castellan say any of those things?</b> 4     A. I don't recall if I did or not. 5     <b>Q. Have you ever heard Deputy 6 Chief Castellan make any statements about 7 the residency requirement?</b> 8     A. I mean, a lot of -- or at least 9 one of his good friends doesn't live in 10 town or that didn't live in town for at 11 least ten years. So, I mean, what he 12 has to say about the residency requirements 13 is obviously subjective and biased. 14     <b>Q. Is there a reason why you don't 15 want to answer the question I asked you?</b> 16     A. That's the best answer I could 17 give you for that.</p> <p>18         MR. FOWLER: Read the question 19 back, please. 20         (Whereupon, the requested 21 portion of the record was 22 read accordingly.)</p> <p>23     BY THE WITNESS: 24     A. I do remember overhearing him</p>	<p>85</p> <p>1 office when he wants to be loud. 2     <b>Q. So you're saying he was in his 3 office?</b> 4     A. Who, Castellan? 5     <b>Q. Yes.</b> 6     A. At the time I would have to say 7 yeah. 8     <b>Q. Who else was present in the roll 9 call room --</b> 10     A. Whoever was working -- 11     <b>Q. -- when you heard that statement?</b> 12     A. Whoever was working on that given 13 day -- 14     <b>Q. Do you recall?</b> 15     A. -- and God help me, I should have 16 wrote it down. 17     <b>Q. Do you recall who it was?</b> 18     A. No. Whoever was on my shift at 19 the time. 20     <b>Q. What exactly did you hear Deputy 21 Chief Castellan say about residency?</b> 22     A. Just that he was upset about Kyll 23 violating residency even though he had a 24 federal decree that says he doesn't have</p>

John Scatchell, Jr.

August 5, 2020

<p>1 to live here. In the meantime, he overlooks 2 everybody else that lives out of town and 3 has lived out of town.</p> <p>4 <b>Q. How do you know that there's a 5 federal decree that says Kyll can live out 6 of town?</b></p> <p>7 A. That was what was told around the 8 station. That's what everybody knew. I was 9 told that he got hired along with a fireman 10 at the time under the -- I forget -- you 11 have to forgive me. I forget what the exact 12 legal thing was called, but it was a ruling 13 in his favor and the female firefighter and 14 he stayed on and she, I don't really know 15 what happened to her.</p> <p>16 <b>Q. So other than a rumor around the 17 station, any other basis for your belief 18 that he was allowed to live outside of town 19 pursuant to a federal decree?</b></p> <p>20 A. Just what I was told.</p> <p>21 <b>Q. By whom?</b></p> <p>22 A. From rumors around the station and 23 such.</p> <p>24 <b>Q. And other than that statement</b></p>	<p>86</p> <p>1 <b>Q. When is the first time you recall 2 Deputy Chief Castellan asking about Vito 3 Scavo?</b></p> <p>4 MR. COOPER: You can answer 5 that.</p> <p>6 <b>BY THE WITNESS:</b></p> <p>7 A. From the day I got on the job. 8 I walked in the building, hey, how's the 9 chief doing.</p> <p>10 <b>BY MR. FOWLER:</b></p> <p>11 <b>Q. Asking that specifically of you?</b></p> <p>12 A. Right. And he could have asked 13 Mayor Serpico, he could have asked Deputy 14 Chief Campanili, he could have asked Trustee 15 Prignano. They all visited Vito in prison.</p> <p>16 <b>Q. But your understanding was that 17 he asked you because he knew that you had 18 a relationship with Mr. Scavo?</b></p> <p>19 A. He had a relationship with 20 Mr. Scavo.</p> <p>21 <b>Q. So my question to you --</b></p> <p>22 A. He dug some of the pits that 23 Vito hunted out of while he was working.</p> <p>24 <b>Q. My question to you is your</b></p>
<p>87</p> <p>1 <b>that relates to Kyll Lavalais's residency, 2 have you ever heard Deputy Chief Castellan 3 make any other statements relating to Kyll 4 Lavalais?</b></p> <p>5 A. Directly to Kyll at this time I 6 don't recall any, but I -- I have to think 7 on that.</p> <p>8 <b>Q. Have you ever heard Deputy 9 Chief Castellan say anything about Kyll 10 Lavalais to someone else?</b></p> <p>11 A. No, mostly because he wouldn't 12 talk in my presence. The only thing he 13 would ever ask me, hey, Johnny babes, 14 how's the chief and he wasn't referring 15 to Pitassi. He was referring to Vito 16 Scavo.</p> <p>17 <b>Q. Anything else?</b></p> <p>18 A. That's all.</p> <p>19 <b>Q. So your belief was that Deputy 20 Chief Castellan knew about your relationship 21 with Vito Scavo long before --</b></p> <p>22 A. Fifth Amendment.</p> <p>23 <b>Q. -- 2017?</b></p> <p>24 A. Fifth Amendment.</p>	<p>89</p> <p>1 <b>understanding of him -- why he asked 2 you about Mr. Scavo was because Deputy 3 Chief Castellan knew you had a 4 relationship with Mr. Scavo, correct?</b></p> <p>5 A. Yes. And I would ask him how 6 Harpo was because I knew he had a 7 relationship with Harpo.</p> <p>8 <b>Q. Now, you referred to a residency 9 issue involving Deputy Chief Castellan's 10 friend?</b></p> <p>11 A. I perceive him to be a friend, yes.</p> <p>12 <b>Q. Who is that?</b></p> <p>13 A. Steve Pesch. He brings him gifts 14 while he's on duty.</p> <p>15 <b>Q. Where does Steve Pesch live?</b></p> <p>16 A. He claims he lives on 22nd, 1500 17 block, but we all know that's a lie. He 18 lives off Lies Avenue in Carol Stream. I 19 think it's Rose Street, something like 20 that.</p> <p>21 <b>Q. How do you know that?</b></p> <p>22 A. It's public knowledge. Look it 23 up on Google.</p> <p>24 <b>Q. How do you know that?</b></p>

John Scatchell, Jr.

August 5, 2020

	90		92
<p>1 A. I looked it up on Google.</p> <p>2 <b>Q. What did you look up on Google?</b></p> <p>3 A. Steve Pesch and residency popped 4 up.</p> <p>5 <b>Q. Anything else?</b></p> <p>6 A. Everybody knew he lived in Homer 7 Glen or Homewood-Flossmoor, one of the two 8 for ten years before he moved to Carol 9 Stream, then he bought the house in 2014. 10 Go look that up on Google. It's right 11 there.</p> <p>12 <b>Q. What house?</b></p> <p>13 A. Black and white. You guys fired 14 Devon Moss while he was in Afghanistan, a 15 good policeman. I was a good policeman 16 in my opinion. You guys haven't brought 17 anybody here to say otherwise. You guys 18 fired Devon Moss while he was overseas 19 for residency, but you'll promote Pesch 20 and you'll put Jerry Manzel in detectives, 21 the same Jerry Manzel that when Vito Scavo 22 was indicted fled to Italy so he wouldn't 23 have to testify, that Jerry Manzel, or 24 Nello Barone who claimed he was insane</p>		<p>1 A. (Witness nodded.)</p> <p>2 <b>Q. How do you know he lived in 3 Homewood-Flossmoor for ten years?</b></p> <p>4 A. It was either Homer Glen or 5 Homewood-Flossmoor, I'm not sure which 6 of the two. I know it starts with an 7 H, but that was where he was born I 8 believe or where he grew up.</p> <p>9 <b>Q. How do you know that he lived 10 there for ten years while he was employed 11 by the village?</b></p> <p>12 A. Because guys from shift would 13 go to parties at his house. He invited 14 me specifically to his house. He invited 15 many people to his house.</p> <p>16 It wasn't a secret until 17 they just decided to start firing people 18 for residency and pick and choose and 19 cherry pick what they want to do. It's 20 called disparate treatment.</p> <p>21 <b>Q. How do you know that Deputy 22 Chief Castellan knew that Steve Pesch was 23 not a resident of the village?</b></p> <p>24 A. Because he was told so by Pitassi.</p>	
	91		93
<p>1 or some type of disability when Vito 2 Scavo got indicted. I'm not exactly 3 sure what he did, but he wasn't even 4 state certified until, what, 2003. He 5 worked five years on the street without 6 state certification and you guys are 7 worried about pittance of me doing whatever 8 you accuse me of doing. This is a mockery, 9 nothing more.</p> <p>10 <b>Q. Anything else?</b></p> <p>11 A. I said nothing more.</p> <p>12 <b>Q. Okay. You said that Mr. Pesch 13 or Pesch bought a house?</b></p> <p>14 A. You can call him Sergeant Pesch 15 because he got promoted so go ahead and 16 refer to him as that.</p> <p>17 <b>Q. Sergeant Pesch you said he bought 18 a house?</b></p> <p>19 A. In Carol Stream.</p> <p>20 <b>Q. And when was?</b></p> <p>21 A. 2014.</p> <p>22 <b>Q. And how do you know that?</b></p> <p>23 A. Google.</p> <p>24 <b>Q. Anything else?</b></p>		<p>1 They were all told. They knew. Come 2 on. There are many a people that he knew 3 lived out of town. He tried to throw Dave 4 Hilgenberg under the bus for living out of 5 town when he actually lived in town because 6 he didn't like Davie.</p> <p>7 <b>Q. How do you know?</b></p> <p>8 A. Because Davie told me.</p> <p>9 <b>Q. Anything else?</b></p> <p>10 A. That's it.</p> <p>11 <b>Q. How do you know that Deputy 12 Chief Castellan knew that Steve Pesch 13 lived out of town?</b></p> <p>14 A. Because the entire department 15 knew and he was told to his face by people 16 that didn't like Pesch.</p> <p>17 <b>Q. How do you know that Deputy 18 Chief Castellan --</b></p> <p>19 A. Because I said it to him once too.</p> <p>20 <b>Q. When did you say it to --</b></p> <p>21 A. I don't recall when it was, but 22 I said why is this allowed? This guy 23 hasn't lived in town ever, ever at that 24 point.</p>	

John Scatchell, Jr.

August 5, 2020

<p>1     <b>Q. Where did that conversation take 2 place?</b></p> <p>3     A. Probably in his office because the 4 first few years I was on the job, he tried 5 to play cordial with me. I knew his game. 6 He didn't like me. I really don't care one 7 way or the other about him, but he would 8 try to get little tidbits of information 9 from me about anything he could.</p> <p>10        Oh, Johnny babes, come 11 in my office. Oh, hey, look, you got an 12 overtime slip. Oh, you want to work the 13 taste, Johnny babes, how's Vito doing, 14 how's this, hey, oh. I don't do small 15 talk with him because I don't trust him, 16 never did.</p> <p>17        <b>Q. When you said that you told 18 him that Pesch lived out of town, was 19 anybody else present?</b></p> <p>20        A. Not that I recall.</p> <p>21        <b>Q. During that conversation as best 22 you can recall, what did you say to him 23 and what did he say to you?</b></p> <p>24        A. I said how is this allowed. This</p>	<p>94</p> <p>1     except for spending the night. You'll 2 never see my family here, the reason 3 because I don't live here.</p> <p>4        <b>Q. Who told you that?</b></p> <p>5        A. I don't recall at this time.</p> <p>6        <b>Q. How do you know that Deputy 7 Chief Castellan knew that Jerry Manzel was 8 not a resident of Melrose Park?</b></p> <p>9        A. The entire department knew. 10 Every -- to be clear, everybody here knows 11 the score. Everybody knows that Devon got 12 secured over and Pesch was allowed to stay. 13 Jeff Juan got screwed over or forced out and 14 Manzel was allowed to stay.</p> <p>15        Lenny Bartemio lived out 16 of town for a long time and that was okay, 17 which, hey, I like Lenny, but let's call 18 a spade a spade. He lived out of town. 19 Okay?</p> <p>20        Davie did live out of 21 town at one point. He moved back and 22 Castellan still tried to throw it in his 23 face, but ignored all the blatant evidence 24 right in front of him because those are his</p>
<p>95</p> <p>1     guy hasn't lived in town for all this time, 2 but I didn't say this, I should've, is it 3 because he brought you a gift right before 4 you put him in tact in the power car.</p> <p>5        <b>Q. Anything else?</b></p> <p>6        A. Just months -- not even -- it 7 wasn't even a month before it, you got a 8 picture of Steve walking into his backyard 9 with a gift in uniform and then he gets 10 promoted and to be clear Steve Pesch might 11 be a likable guy, I believe there is a 12 lot better candidates to be a sergeant 13 than him.</p> <p>14        <b>Q. Was there anything else said in 15 that conversation?</b></p> <p>16        A. There might have been. I don't 17 recall at this time.</p> <p>18        <b>Q. How do you know that Jerry Manzel 19 was not a resident of Melrose Park?</b></p> <p>20        A. Because of Google and because 21 somebody spoke to his neighbor who gave 22 me the information of what he told his 23 neighbor.</p> <p>24        You'll never see me here</p>	<p>95</p> <p>1     friends --</p> <p>2        <b>Q. Anything else?</b></p> <p>3        A. -- or as they're referred to at 4 the station, the dirty dozen.</p> <p>5        <b>Q. Did you ever tell Deputy 6 Chief Castellan that Manzel lived out of 7 town?</b></p> <p>8        A. Me personally, I don't think I 9 did, but my opinion --</p> <p>10        <b>Q. Were you ever --</b></p> <p>11        A. -- is Jerry Manzel shouldn't have 12 been a police officer still because he fled 13 to avoid having to testify in an indictment.</p> <p>14        <b>Q. Were you ever present when somebody 15 else told Deputy Chief Castellan that Manzel 16 was not a resident?</b></p> <p>17        A. I don't recall at this time.</p> <p>18        <b>Q. Did you ever tell Director Pitassi 19 or --</b></p> <p>20        A. I told Director Pitassi hundreds of 21 things.</p> <p>22        <b>Q. Let me finish my question. Okay?</b></p> <p>23        A. Go ahead. Sorry.</p> <p>24        <b>Q. I mean if you want to not only be</b></p>

John Scatchell, Jr.

August 5, 2020

<p>1   <b>here all day today but come back another 2   day --</b></p> <p>3   A. Jeff --</p> <p>4   <b>Q. -- to finish, certainly, I can do 5   that.</b></p> <p>6   A. Jeff, to be clear, I'm a civilian 7 now. My schedule is wide open. Whatever 8 you want to do.</p> <p>9   <b>Q. Did you ever tell Director Pitassi 10   that Jerry Manzel was not a resident of Melrose 11   Park?</b></p> <p>12   A. I believe I did.</p> <p>13   <b>Q. When did you do that?</b></p> <p>14   A. I don't know. It would have been 15 a couple years ago when all this -- actually, 16 I do know when I told him.</p> <p>17   <b>Q. When was that?</b></p> <p>18   A. I can recall exactly when I told 19 him when we were walking out of the senior 20 center after one of my hearings and I told 21 him to his face you're allowing this guy 22 to live out of town, that guy to live out 23 of town. You know what his answer to me was? 24                   Well, you know that's</p>	<p>98</p> <p>1       Just like when I presented 2 charges against Castellan and nobody wanted 3 to do anything about it. Oh, we can't hear 4 this, we can't do this. Well, you knew about 5 it.</p> <p>6       To be clear Rogowski knew 7 about it, Pitassi knew about it and you know 8 what I was told, well, write a complaint 9 form and maybe we'll look at it. You just 10 were told about it. What do you need a 11 complaint form? Look into it. You 12 looked into stuff based on a lot less and 13 we know that.</p> <p>14   <b>Q. Anything else?</b></p> <p>15   A. That's it.</p> <p>16   <b>Q. Did you ever have any conversations 17   with Deputy Chief Rogowski about Pesch not 18   being a resident?</b></p> <p>19   A. Again, I told you, after I left 20 his shift, he had nothing to do with me --</p> <p>21   <b>Q. You referred to --</b></p> <p>22   A. -- because I wasn't one of his 23 boys.</p> <p>24   <b>Q. You referred to Davie.</b></p>
<p>99</p> <p>1   politics, you know, the big guy, calls 2 him the big guy and that's in reference 3 to Mayor Serpico.</p> <p>4   <b>Q. Anybody else present?</b></p> <p>5   A. My mom.</p> <p>6   <b>Q. Anybody else?</b></p> <p>7   A. Not that I recall.</p> <p>8   <b>Q. At that point in time, was Jerry 9   Manzel a resident?</b></p> <p>10   A. No. He still isn't.</p> <p>11   <b>Q. Okay. Have you ever had any 12   conversations with Deputy Chief Rogowski 13   about Jerry Manzel not being a resident?</b></p> <p>14   A. Deputy Chief Rogowski after I 15 left his shift wouldn't even look at me 16 or so much as talk to me, so no.</p> <p>17   <b>Q. Ever have any conversations with 18   Director Pitassi about Steve Pesch not 19   being a resident?</b></p> <p>20   A. I said it the same day I said 21 about Jerry. And I said a lot of other 22 things which I can't recall, but he knows, 23 but he doesn't want to do anything about 24 it.</p>	<p>101</p> <p>1       <b>Who is Davie?</b></p> <p>2   A. Hilgenberg.</p> <p>3   <b>Q. Hilgenberg?</b></p> <p>4   A. Uh-huh.</p> <p>5   <b>Q. H-I-L-G-E-N --</b></p> <p>6   A. Something like that.</p> <p>7   <b>Q. -- B-E-R-G?</b></p> <p>8   A. And Deputy Chief Castellan for 9 years has tried to pin an argument on my 10 dad between him and Hilgenberg and still 11 continues to do it to this day when he sees 12 Hilgenberg.</p> <p>13   <b>Q. And I -- again, this is something 14   that -- please listen to the questions I ask 15   you.</b></p> <p>16   A. I hear the question. Go ahead.</p> <p>17   <b>Q. And answer the questions.</b></p> <p>18   A. I'm answering to the best of my 19 ability, Jeff.</p> <p>20   <b>Q. Dave Hilgenberg is a police officer 21   with the Village of Melrose Park?</b></p> <p>22   A. I believe so, yes.</p> <p>23   <b>Q. And how long has he been in that 24   position?</b></p>

John Scatchell, Jr.

August 5, 2020

<p>1     A. Probably 20 years.</p> <p>2     <b>Q. And is it your position that he's</b></p> <p>3     <b>not a resident?</b></p> <p>4     A. He is resident. My point is</p> <p>5     Deputy Chief Castellan because he didn't</p> <p>6     like Hilgenberg tried to threaten him by</p> <p>7     saying I'm putting you on the list of</p> <p>8     people that live out of town when he knew</p> <p>9     damn well that Davie lived on 18th, and</p> <p>10    excuse my language.</p> <p>11    <b>Q. Okay. Anybody else who you</b></p> <p>12    <b>believe was not a resident and was not</b></p> <p>13    <b>investigated regarding residency?</b></p> <p>14    A. I really don't have to go further</p> <p>15    beyond the two people that were promoted</p> <p>16    in the last year, Steve Pesch, Jerry Manzel,</p> <p>17    that's it.</p> <p>18    <b>Q. Anybody else?</b></p> <p>19    A. That I can recall right now, no,</p> <p>20    but I'm not ruling it out. And firemen,</p> <p>21    who knows.</p> <p>22    <b>Q. Have you ever had any conversations</b></p> <p>23    <b>with Director Pitassi about Kyll Lavalais?</b></p> <p>24    A. No.</p>	<p>102</p> <p>1     <b>Q. Have you ever had any conversations</b></p> <p>2     <b>with Director Pitassi about the residency</b></p> <p>3     <b>requirement?</b></p> <p>4     A. I just told you I did at that --</p> <p>5     coming from the senior center when I told</p> <p>6     him about Pesch and Jerry.</p> <p>7     <b>Q. Any others?</b></p> <p>8     A. That I can recall, no, because</p> <p>9     he would never open his door to me. He's</p> <p>10    supposed to have this open door policy.</p> <p>11    He has known me since I've about this high</p> <p>12    and I'm indicating about 12 inches off</p> <p>13    the ground or 18 inches off the ground.</p> <p>14    I grew up with his son,</p> <p>15    went to school with his son. He claims</p> <p>16    he has this open door policy, but that's</p> <p>17    not the case because he never brought me</p> <p>18    in his office. I wasn't even welcome in</p> <p>19    his office. During my grievances, I</p> <p>20    tried to have a confer and meet with him.</p> <p>21    He refused.</p> <p>22    <b>Q. Anything else?</b></p> <p>23    A. That's it.</p> <p>24    MR. CASPER: Counsel, may I</p>
<p>103</p> <p>1     <b>Q. Okay. And have you ever heard</b></p> <p>2     <b>Director Pitassi make any statements about</b></p> <p>3     <b>Kyll Lavalais?</b></p> <p>4     A. Just the statements that I was</p> <p>5     told that I referred to earlier with the</p> <p>6     conversation with my father.</p> <p>7     <b>Q. And to be clear what I'm asking</b></p> <p>8     <b>is have you ever personally heard Director</b></p> <p>9     <b>Pitassi make any comment about Kyll</b></p> <p>10    <b>Lavalais?</b></p> <p>11    A. If you walk in the station at</p> <p>12    like 11:00 o'clock to get the mail run,</p> <p>13    he's screaming about something usually</p> <p>14    and I'm sure a couple of those times it</p> <p>15    was about Kyll because when he's mad, he</p> <p>16    leaves his door open and what the fuck,</p> <p>17    this, that, swears, everything comes out</p> <p>18    of that office. It doesn't matter. He</p> <p>19    doesn't care.</p> <p>20    <b>Q. On any of those occasions,</b></p> <p>21    <b>though, you don't know what it was about?</b></p> <p>22    A. Again, we're talking about three</p> <p>23    years at least in the past, I don't recall</p> <p>24    at this time.</p>	<p>105</p> <p>1     take a two-minute break? I've</p> <p>2     got something I have to give to</p> <p>3     someone outside.</p> <p>4     <b>MR. FOWLER:</b> Sure.</p> <p>5     (Whereupon, after a short</p> <p>6     break was had, the following</p> <p>7     proceedings were held</p> <p>8     accordingly.)</p> <p>9     BY MR. FOWLER:</p> <p>10    <b>Q. Have you ever heard Director</b></p> <p>11    <b>Pitassi say anything about your father's</b></p> <p>12    <b>promotion to deputy chief?</b></p> <p>13    A. Well, to circle back to the</p> <p>14    comment I made earlier about the eyes of</p> <p>15    Texas are upon him, that comment was made</p> <p>16    to my father relayed to me.</p> <p>17    I heard it from my father,</p> <p>18    but that being said to let you understand</p> <p>19    what the racist connotation was, I guess</p> <p>20    apparently the University of Texas used</p> <p>21    to have some type of performances and that's</p> <p>22    their fight song and when it was performed</p> <p>23    early on, it was performed in blackface</p> <p>24    and it's so offensive to the current Texas</p>

John Scatchell, Jr.

August 5, 2020

	106		108
1	football players that they refuse to take	1	we're going to be here all day,
2	the field until that song is removed.	2	which could be very expensive.
3	So it's kind of ironic	3	MR. FOWLER: Chris, I'm
4	that he uses a statement like that when	4	going to expand on that.
5	we're talking about the only person that	5	THE WITNESS: You guys have
6	backup the last remaining black police	6	never had any care about cost
7	officer in the Melrose Park police force.	7	during this entire proceeding.
8	Makes kind of perfect sense actually.	8	Now, you do?
9	<b>Q. Do you have any reason to believe</b>	9	MR. FOWLER: Chris, as you're
10	<b>that Deputy Chief -- or I'm sorry -- that</b>	10	well aware, transcripts have costs.
11	<b>Director Pitassi had anything to do with</b>	11	Attorney time has costs. If this
12	<b>the University of Texas?</b>	12	continues, we're going to have to
13	A. No, but I believe he knows or	13	address it with the judge.
14	should reasonably know what is okay and	14	MR. COOPER: One second.
15	not okay to say in this day and age and	15	MR. CASPER: Well, you know,
16	saying nigger, saying the eyes of Texas	16	my co-counsel does make a good
17	are upon you and any other of the euphemisms	17	point that Mr. Kyra, on Monday,
18	that he uses regularly in his office are not	18	was repeating my question back
19	tolerable in today's police force and that's	19	to me ad nauseam infinite number
20	why you see the situation that's going on	20	of times all day and I did put up
21	in this country. There's a distrust with	21	with it I thought in a very
22	our police force and it stems with the	22	gentlemanly fashion.
23	chief.	23	So I would myself prefer
24	MR. BERSANI: Can we get the	24	Mr. Scatchell listen to the question
	107		109
1	question answered, please? You	1	and answer the question, but if
2	just went off on a narrative.	2	we're going to talk about going
3	If you just answer --	3	to the judge, Monday with him was
4	THE WITNESS: Excuse me. I	4	very difficult for me too. So...
5	don't --	5	MR. FOWLER: I don't think
6	MR. BERSANI: I'm not talking	6	you're suggesting that I have been
7	to you.	7	ungentlemanly toward the witness.
8	THE WITNESS: Okay. Well, I	8	MR. CASPER: No, you have not
9	don't interrupt you when I'm talking.	9	been, but for purposes of our
10	MR. BERSANI: Can we -- can	10	colloquy here --
11	we have the witness directed to	11	MR. FOWLER: I think that there
12	just answer the questions?	12	was a difference between Officer
13	Otherwise, we are going to be	13	Kyra's and this, but we'll address
14	here forever.	14	that depending on the result of
15	MR. CASPER: It's not my --	15	Mr. Cooper's conversations with
16	it's not my client.	16	his client.
17	MR. BERSANI: I'm talking to --	17	MR. COOPER: Well, I certainly
18	he's not your client?	18	don't see it that way. I can tell
19	MR. CASPER: Not for this.	19	you that my client is prepared to
20	Not for purposes of this.	20	continue to answer questions.
21	MR. BERSANI: Then, Chris, I	21	BY MR. FOWLER:
22	mean, I think he should be answering	22	<b>Q. So the question that I asked you</b>
23	the question that's asked and not	23	<b>was have you ever heard Director Pitassi say</b>
24	go off on narratives. Otherwise,	24	<b>anything about your father's promotion?</b>

John Scatchell, Jr.

August 5, 2020

<p>1     A. And I told you that that was what 2 I heard through my father but never do I 3 recall hearing anything specific that I 4 recall at this time --</p> <p>5     <b>Q. Okay. So let me phrase the question 6 differently --</b></p> <p>7     A. -- out of Director Pitassi's mouth.</p> <p>8     <b>Q. So let me phrase the question 9 differently. Have you ever personally 10 heard Director Pitassi say anything about 11 your father being promoted to deputy 12 chief?</b></p> <p>13    A. Personally, no, just what was 14 said.</p> <p>15    <b>Q. Have you ever personally heard 16 Director Pitassi say anything about the 17 Morales incident?</b></p> <p>18    A. Not that I can recall at this 19 time.</p> <p>20    <b>Q. Have you ever personally heard 21 Director Pitassi say anything about the 22 M-80 incident?</b></p> <p>23    A. I can't recall. My mother might 24 have said something to him that day when</p>	<p>110</p> <p>1     A. There may have been. There might 2 have been the CSO might have heard it. I'm 3 not sure.</p> <p>4     <b>Q. Do you know who else was in the 5 office?</b></p> <p>6     A. I don't recall.</p> <p>7     <b>Q. What exactly did you hear 8 Director Pitassi say at that time?</b></p> <p>9     A. Something referring to the jag-off 10 in the hole.</p> <p>11    <b>Q. That's all you heard?</b></p> <p>12    A. Yes. I'm sorry, I don't linger 13 outside of doors and listen, but when I 14 hear something, I'm not going to ignore 15 it.</p> <p>16    <b>Q. Have you ever personally heard 17 Director Pitassi say anything about your 18 father participating in meetings as station 19 supervisor?</b></p> <p>20    A. No, not Director Pitassi that I 21 can recall.</p> <p>22    <b>Q. Have you ever personally heard 23 Director Pitassi say anything about your 24 father's access to a computer while he was</b></p>
<p>111</p> <p>1     we were walking from the senior center. 2 I'm sure she did, but I don't recall it.</p> <p>3     <b>Q. Have you ever personally heard 4 Director Pitassi say anything about your 5 father's assignment as station supervisor?</b></p> <p>6     A. I overheard a conversation one 7 day where he referred to the jag-off in 8 the hole, so I assumed that he was referring 9 to my father because Dino has breakfast with 10 him every day, so there is only one person 11 he could be referring to.</p> <p>12    <b>Q. When did that conversation take 13 place?</b></p> <p>14    A. Whenever my dad was in the hole. 15 So, 2018, I would have to say.</p> <p>16    <b>Q. Where did the conversation take 17 place at?</b></p> <p>18    A. I overheard it out of his office.</p> <p>19    <b>Q. Who was present?</b></p> <p>20    A. Maybe Jolette was there, maybe she 21 wasn't. I'm not sure if she was on lunch or 22 not. She could hear a lot of stuff that he 23 says and probably testify to a lot of it.</p> <p>24    <b>Q. Was anybody present with you?</b></p>	<p>113</p> <p>1     <b>station supervisor?</b></p> <p>2     A. I don't recall ever hearing him 3 say it, but if the word was around the 4 station that my father was shut out of 5 the computers where everybody was saying 6 it, I'm sure he knew.</p> <p>7     <b>Q. Have you ever personally heard 8 Director Pitassi say anything relating to 9 your father's retirement?</b></p> <p>10    A. Personally, no, but word-of-mouth, 11 yes.</p> <p>12    <b>Q. The word of mouth, was it from 13 any of the deputy chiefs or -- of the police 14 department?</b></p> <p>15    A. I mean it could have been through 16 who they told.</p> <p>17    <b>Q. Did you hear it from any of the 18 deputy chiefs?</b></p> <p>19    A. Personally, no. Again, they 20 don't talk to me. How would I hear it?</p> <p>21    <b>Q. Have you ever personally heard 22 Director Pitassi say anything about your 23 father's age?</b></p> <p>24    A. Just -- again, nothing personal,</p>

John Scatchell, Jr.

August 5, 2020

<p>1 but the word of mouth is I can't wait to      2 get him out of here at 62, but the caveat      3 to that was they had to get rid of Castellan      4 too.</p> <p>5 <b>Q. So you're saying -- you're aware      6 that Deputy Chief Castellan had to retire      7 at 62?</b></p> <p>8 A. I'm -- I'm hypothesizing. I'm      9 not sure, but he did get another village      10 job that wasn't posted anywhere.</p> <p>11 <b>Q. Have you ever heard Deputy      12 Chief Castellan say anything about your      13 father's age?</b></p> <p>14 A. Well, given that the last      15 discussion I had with him that I told      16 you earlier was you pinpointed the date      17 to May 17th, I would say no because that      18 would be before that period of time.</p> <p>19 <b>Q. Have you ever heard Deputy      20 Chief Castellan say anything about your      21 father filing any EEOC charge?</b></p> <p>22 A. Not that I can recall because      23 I believe when my dad filed the EEOC, I      24 was on vacation, but I did hear rumblings</p>	<p>114</p> <p>1 <b>told you?</b>      2 A. Or people that were sitting at      3 the nearby table told me.</p> <p>4 <b>Q. Who were they?</b>      5 A. I don't recall at this time.</p> <p>6 <b>Q. Anything else?</b>      7 <b>Have you ever heard      8 Director Pitassi -- strike that.      9 Have you ever personally      10 heard Director Pitassi say anything about      11 your dad's EEOC charge?</b></p> <p>12 A. Personally, no, because, again,      13 he filed the EEOC while I was on vacation.      14 I came back and whatever else happened,      15 then I came back to work probably four      16 or five months after that. So anything      17 I would have heard would be four or five      18 months delayed, but I did hear rumors.</p> <p>19 <b>Q. Have you ever heard Deputy      20 Chief Rogowski say anything about your dad's      21 EEOC charge?</b>      22 A. Not that I can recall.</p> <p>23 <b>Q. Have you ever heard Deputy      24 Chief Rogowski ever say anything about your</b></p>
<p>115</p> <p>1 that he was not happy, none of them were      2 happy.</p> <p>3 <b>Q. Have you ever heard Director      4 Pitassi say anything about your father filing      5 any EEOC charge?</b></p> <p>6 A. Yeah, actually -- well, not      7 personally but to my grandfather by proxy.</p> <p>8 <b>Q. What did -- what is your knowledge      9 about Director Pitassi saying something to      10 your grandfather about your dad's EEOC?</b></p> <p>11 A. Director Pitassi used that as the      12 rationale to explain to my grandfather why      13 he wanted to fire me.</p> <p>14 <b>Q. When did that conversation take      15 place?</b></p> <p>16 A. I would have to assume after I was      17 given the statement of charges, sometime      18 therein. I know he broke bread with him at      19 Tom's Steak House, and my uncle.</p> <p>20 <b>Q. You were not present, right?</b></p> <p>21 A. I was not present, no, but they      22 were discussing me.</p> <p>23 <b>Q. Whatever you know is something      24 that either your grandfather or your uncle</b></p>	<p>117</p> <p>1 <b>dad's age?</b>      2 A. Not that I can recall.</p> <p>3 <b>Q. Have --</b>      4 A. Again, to be clear, I haven't      5 worked with Deputy Chief Rogowski since      6 probably 2016 at some point and I would      7 ballpark that as the last time I actually      8 had a conversation with him because he      9 blocked me from his phone, so did Pitassi.      10 I mean, I don't talk to      11 any of them, so I could -- I know you got      12 to ask the questions, but I can help you      13 out a little bit there.</p> <p>14 <b>Q. So is it fair to say that you      15 have not heard Deputy Chief Rogowski make      16 any statements whatsoever to you since,      17 say, January 1, 2017?</b>      18 A. Aside from minor, like, hi/bye,      19 whatever, yeah, I would say him and I haven't      20 had any kind of conversation.</p> <p>21 <b>Q. So have you ever heard Deputy      22 Chief Rogowski make any statements to anybody      23 else about your dad's age?</b>      24 A. No, but I -- I was told again rumors</p>

John Scatchell, Jr.

August 5, 2020

<p>1 about things he says and where he wants 2 to go with that but, again, I don't talk 3 to them so no.</p> <p>4 <b>Q. Have you ever heard Deputy 5 Chief Rogowski make any statements to 6 anybody else about your dad's retirement?</b></p> <p>7 A. Not that I can recall at this time.</p> <p>9 <b>Q. Have you ever heard Deputy 10 Chief Rogowski make any statement to 11 anybody about your dad having computer 12 access?</b></p> <p>13 A. Well, Deputy Chief Rogowski 14 had no supervision over my father at that 15 time, did he? I thought he was in charge 16 of the specialty division, so why would 17 he be concerned with the computer?</p> <p>18 <b>Q. So is the answer no?</b></p> <p>19 A. The answer is I don't know. I 20 don't recall.</p> <p>21 <b>Q. Have you ever heard Deputy 22 Chief Rogowski make any statements about 23 your dad participating in meetings as 24 station supervisor?</b></p>	<p>118</p> <p>1 <b>your dad being in the hole?</b> 2 A. In the hallways, yeah, I heard 3 him refer to the office as the hole.</p> <p>4 <b>Q. When did that happen?</b> 5 A. Around the time when my dad 6 would have been in the hole.</p> <p>7 <b>Q. Where did it take place?</b> 8 A. Would have been in the hallways 9 upstairs when he was talking to one of 10 those guys coming out of the tact office.</p> <p>11 <b>Q. Who was he talking to?</b> 12 A. One of those guys. Again, I don't 13 know. It could have been Pesch. It could 14 have been Raul. It could have been Dennis. 15 It could have been Natale. It could have 16 been any one of the guys that got promoted 17 for going against my father --</p> <p>18 <b>Q. Do you recall --</b> 19 A. -- and for voting against Kyll.</p> <p>20 <b>Q. Do you recall anybody else who was 21 present?</b> 22 A. Not at this time I don't know, no.</p> <p>23 <b>Q. As best you can recall, what exactly 24 did Deputy Chief Rogowski say?</b></p>
<p>119</p> <p>1 MR. CASPER: Object to 2 form.</p> <p>3 BY THE WITNESS:</p> <p>4 A. No, but I just know that those 5 meetings, again, dad was never invited and 6 even when dad was a lieutenant in charge 7 of an entire shift, they purposely scheduled 8 those meetings when they thought he would 9 be out of town.</p> <p>10 BY MR. FOWLER:</p> <p>11 <b>Q. Have you ever heard Deputy 12 Chief Rogowski make any statements about 13 your dad being assigned as station 14 supervisor?</b></p> <p>15 A. Just in passing again referred 16 to as the hole. Everybody refers to it 17 as the hole because it's like you're doing 18 time there.</p> <p>19 You're -- you're sitting 20 in a little cubicle with no job capacity 21 whatsoever. That's -- that's like -- 22 that's -- that's torture bordering on.</p> <p>23 <b>Q. Your testimony is that you've 24 heard Deputy Chief Rogowski talk about</b></p>	<p>121</p> <p>1 A. Just referred to the office as the 2 hole.</p> <p>3 <b>Q. Anything else?</b> 4 A. Shows that he knows that that office 5 is a punishment. Everybody knows it's a 6 punishment.</p> <p>7 <b>Q. You've seen the office after your 8 dad moved into it, haven't you?</b> 9 A. Yes.</p> <p>10 <b>Q. And how large is the office?</b> 11 A. Not very. There's is room for -- 12 if you had to put two desks back-to-back, 13 you'd probably not leave enough room to 14 get around them.</p> <p>15 <b>Q. There's room for a comfortable 16 leather-ish chair, right?</b> 17 MR. CASPER: Objection to 18 foundation.</p> <p>19 BY MR. FOWLER:</p> <p>20 <b>Q. You saw a leather chair in there, 21 right?</b> 22 A. I might have.</p> <p>23 <b>Q. Television in there?</b> 24 A. There's a television in every</p>

John Scatchell, Jr.

August 5, 2020

<p>1 office.</p> <p>2     <b>Q. And there was a television in</b></p> <p>3     <b>there?</b></p> <p>4     A. I believe there was. I can't</p> <p>5 recall at this time. It wasn't my office</p> <p>6 and God knows if you leave it around the</p> <p>7 station, they watch the cameras so you</p> <p>8 can't go visit anybody. People got whistled</p> <p>9 in for going to visit my dad. Why you</p> <p>10 visiting him? Why you doing this? Just</p> <p>11 like people got whistled in for liking my</p> <p>12 Facebook posts.</p> <p>13     <b>Q. How do you know that people got</b></p> <p>14     <b>whistled in for meeting with your dad?</b></p> <p>15     A. They told us.</p> <p>16     <b>Q. Who?</b></p> <p>17     A. I don't recall particular people,</p> <p>18 but, again, even if I did, and I'm not</p> <p>19 covering for anybody, you put them here</p> <p>20 and they'd deny it because they got to</p> <p>21 look at these three standing there, and</p> <p>22 they're going to say I don't want to end</p> <p>23 up like these guys, I'm just going to</p> <p>24 dummy up.</p>	<p>122</p> <p>1     <b>your father's promotion to deputy chief?</b></p> <p>2     A. Personally, no.</p> <p>3     <b>Q. Have you ever heard Deputy</b></p> <p>4     <b>Chief Rogowski make any statements about</b></p> <p>5     <b>residency?</b></p> <p>6     A. Personally not at this time</p> <p>7 that I can recall, but he was in charge of</p> <p>8 both Pesch and Manzel under his division.</p> <p>9     <b>Q. Have you ever heard Deputy</b></p> <p>10     <b>Chief Rogowski make any statements about</b></p> <p>11     <b>Kyll Lavalais?</b></p> <p>12     A. That I've got to think about.</p> <p>13 Because I know Steve is -- he's shown his</p> <p>14 temper quite a few times in the office</p> <p>15 when the cameras aren't on him.</p> <p>16              And I thought he got into</p> <p>17 a heated exchange one day with Dino about</p> <p>18 Kyll. I can't remember what it was about,</p> <p>19 but, again, just to lay a foundation, I</p> <p>20 remember one time he spiked his phone across</p> <p>21 a desk in his office, spiked his own cell</p> <p>22 phone.</p> <p>23     <b>Q. When did the conversation between</b></p> <p>24     <b>Dino and Deputy Chief Rogowski take place?</b></p>
<p>123</p> <p>1     <b>Q. Have you ever heard Deputy</b></p> <p>2     <b>Chief Rogowski make any statements relating</b></p> <p>3     <b>to the M-80 incident?</b></p> <p>4     A. No, because he wouldn't interview</p> <p>5 me about it.</p> <p>6     <b>Q. Have you ever heard Deputy</b></p> <p>7     <b>Chief Rogowski make any statements or --</b></p> <p>8     <b>regarding the Morales incident?</b></p> <p>9     A. I know he was at seat ticket</p> <p>10 court one time when I was there and he</p> <p>11 was representing or speaking on the</p> <p>12 behalf of Anastacio Morales, which I've</p> <p>13 never seen that occur.</p> <p>14     <b>Q. Anything else?</b></p> <p>15     A. Nope.</p> <p>16     <b>Q. What did you hear Deputy</b></p> <p>17     <b>Chief Rogowski --</b></p> <p>18     A. I didn't pay attention --</p> <p>19     <b>Q. -- say at that time?</b></p> <p>20     A. I didn't pay attention. It wasn't</p> <p>21 my case and I didn't really care about what</p> <p>22 he had to say about Anastacio Morales.</p> <p>23     <b>Q. Have you ever heard Deputy</b></p> <p>24     <b>Chief Rogowski make any statements about</b></p>	<p>125</p> <p>1     A. I couldn't recall. It would</p> <p>2 have -- it would have been around that</p> <p>3 timeframe 2016/17, right in there</p> <p>4 before anything came towards me.</p> <p>5     <b>Q. Who was present?</b></p> <p>6     A. Whoever would be in the office</p> <p>7 early, maybe Mark Lockton. I don't know.</p> <p>8     <b>Q. What did Deputy Chief Rogowski</b></p> <p>9     <b>say about Kyll Lavalais at that time?</b></p> <p>10     A. Again, I -- I don't remember the</p> <p>11 exact conversation. I know Dino hated Kyll</p> <p>12 and I know that they probably had some</p> <p>13 argument about whether his residency was</p> <p>14 legal or something about the federal decree</p> <p>15 and who knows because in the department,</p> <p>16 it's well-known that Steve may be a smart</p> <p>17 guy but he's also --</p> <p>18              MR. BERSANI: Look, he was</p> <p>19 just asking --</p> <p>20              THE WITNESS: I'm answering</p> <p>21 the question.</p> <p>22              MR. BERSANI: No, you're not.</p> <p>23              THE WITNESS: Okay. You're</p> <p>24 not talking. Mr. Fowler is. I</p>

John Scatchell, Jr.

August 5, 2020

	126		128
1	don't interrupt you. You haven't	1	MR. COOPER: He's talking to
2	talked yet, but I'll interrupt	2	Mr. Casper.
3	you if you want.	3	MR. CASPER: What is your basis
4	MR. BERSANI: No. Just answer	4	for saying that I understood it wrong?
5	the question.	5	MR. BERSANI: Because he's not --
6	THE WITNESS: I am answering the	6	MR. CASPER: Are you in my head?
7	question. Let me answer it.	7	MR. BERSANI: Because he's
8	MR. BERSANI: No, you're not.	8	not -- God, no. He's not answering
9	THE WITNESS: Let me talk to	9	the question.
10	Fowler, please.	10	THE WITNESS: God, no. What
11	MR. CASPER: He was.	11	is that implying? What is that
12	THE COURT REPORTER: I can only	12	implying?
13	do one at a time.	13	MR. CASPER: Excuse me. Yeah.
14	MR. BERSANI: You're answering	14	Are you implying that there is some
15	in a narrative. I just want him to	15	kind of --
16	answer the question.	16	MR. BERSANI: It's a joke. It's
17	MR. CASPER: Counsel -- counsel,	17	a joke, Cass.
18	he was answering.	18	THE WITNESS: Oh, yeah. That
19	MR. BERSANI: Do you represent	19	was a joke, just like Ronnie was
20	him?	20	going to jump across the table at
21	MR. CASPER: No, but I'm --	21	him.
22	MR. BERSANI: Okay. Mr. Cooper?	22	MR. CASPER: John -- John --
23	MR. CASPER: Excuse me,	23	Mr. Scatchell.
24	Mr. Bersani.	24	MR. BERSANI: My objection is
	127		129
1	MR. BERSANI: Yes.	1	the witness is not answering the
2	MR. CASPER: I'm an attorney	2	question directly and he's wasting
3	at this deposition. I want to hear	3	everybody's time here. That's my
4	him finish that answer for the sake	4	objection. I can't keep him from
5	of --	5	answering, but that's my objection,
6	MR. BERSANI: No, I want him	6	for the record.
7	to answer the question that's asked.	7	THE WITNESS: Your objection
8	MR. CASPER: Would you let me	8	is noted.
9	finish?	9	MR. COOPER: John, John, John.
10	MR. BERSANI: He's wasting --	10	THE WITNESS: Can I please
11	MR. CASPER: Would you let me	11	have what I said repeated because
12	finish?	12	I don't even -- it got so muddled
13	MR. BERSANI: He's wasting	13	in Mr. Bersani's nonsense, I don't
14	everybody's time.	14	even know what I said anymore.
15	THE WITNESS: How do you deem	15	MR. COOPER: John, John.
16	that as a waste?	16	Jeff, if you're going
17	MR. CASPER: Stop.	17	to continue with the questioning
18	That was responsive as	18	and -- are you okay with the
19	I was understanding it. I agree with	19	court reporter reading back his
20	you --	20	response?
21	MR. BERSANI: You understood	21	MR. FOWLER: I think it's --
22	it's wrong.	22	MR. COOPER: Are you going to
23	THE WITNESS: Really, you know	23	move on or are you going to stick
24	how my mind works?	24	with the question?

John Scatchell, Jr.

August 5, 2020

<p>1           MR. FOWLER: I'm going to 2        continue questioning, whether it's 3        that particular one. 4           MR. COOPER: All right. Well, 5        then let's -- John, I would suggest -- 6        all right. Go ahead, please. 7    BY MR. FOWLER: 8      <b>Q. Is there anything else you recall 9        specifically hearing Deputy Chief Castellan 10      say in his conversation with Dino?</b> 11     MR. BERSANI: Rogowski. 12     MR. FOWLER: I'm sorry. 13     You're right. 14    BY MR. FOWLER: 15      <b>Q. So you were telling us about a 16        conversation that you overheard between 17        Deputy Chief Rogowski and Dino, right?</b> 18     A. It was fairly heated I remember. 19      <b>Q. Is there anything else you recall 20        as you sit here today that Deputy Chief 21        Rogowski said about Kyll Lavalais?</b> 22     A. I don't recall specifics of it. 23     I know the conversation had something to 24       do with Kyll.</p>	<p>130</p> <p>1       <b>make any statements about Kyll Lavalais's 2        grievance?</b> 3        A. To be clear, I probably haven't 4        been in the presence of Mayor Serpico in 5        the last five years that I can recall 6        right now. So -- 7      <b>Q. Okay. So if I were to --</b> 8        A. -- my answer would be, no, I 9        don't recall any -- anything hearing 10       from him because I haven't seen him. 11      <b>Q. So if I were to go through that 12        whole series of questions relating to 13        Mayor Serpico, you would say no because 14        you haven't heard him saying anything 15        at all in five years?</b> 16       A. Correct. That's what I tried 17       to do with Rogowski after 2017. 18      <b>Q. Okay. All right. Other than -- 19        I just want us all to be on the same page. 20        You consider your direct supervisors to 21        be sergeants, lieutenants then deputy 22        chief and then director, right?</b> 23       A. If you're going to go by the 24       chain of command, yeah.</p>
<p>131</p> <p>1      <b>Q. Have you ever heard Deputy 2        Chief Rogowski make any statements about 3        Kyll Lavalais's grievances?</b> 4       A. Not that I can recall at this 5       time. 6      <b>Q. Have you ever heard Deputy 7        Chief Castellan make any statements about 8        Kyll Lavalais's grievance?</b> 9       A. Not that I can recall at this 10       time. 11      <b>Q. Have you ever heard Director Pitassi 12        make any statements about Kyll Lavalais's 13        grievance?</b> 14       MR. COOPER: Objection, 15       asked and answered. 16       You can still answer. 17    BY THE WITNESS: 18       A. Personally, no, not that I can 19       recall at this time. 20    BY MR. FOWLER: 21      <b>Q. You're familiar with Mayor Serpico, 22       right?</b> 23       A. I am. 24      <b>Q. Have you ever heard Mayor Serpico</b></p>	<p>133</p> <p>1       <b>Is there something other than 2        the chain of command?</b> 3       A. Well, there's senior officers. 4       I mean, especially now there is not a 5       lieutenant or sergeant working every day 6       so -- 7      <b>Q. Okay. So --</b> 8       A. -- you -- you -- as a subordinate 9       officer, if there is no supervisor, you 10       report to the superior officer -- 11      <b>Q. Correct.</b> 12       A. -- whoever the most senior is. 13      <b>Q. And the superior officers that 14        you're referring to are members of the 15        same FOP that you were?</b> 16       A. I believe so. If they opted in 17       or out, I don't know. 18      <b>Q. And sergeants and lieutenants 19        are the same -- are also members of the 20        same FOP that you were?</b> 21       A. Correct. And that's where it 22       stops. 23      <b>Q. And deputy chiefs are not, 24       right?</b></p>

John Scatchell, Jr.

August 5, 2020

<p>1     A. Correct. They're not supposed 2 to have anything to do with it at all. 3     <b>Q. And so is it your understanding</b> 4 <b>that deputy chiefs and above are managers</b> 5 <b>of the department whereas lieutenants</b> 6 <b>below are supervisors to some extent of</b> 7 <b>daily activities?</b> 8     A. You could say that. 9     <b>Q. All right. Other than the</b> 10 <b>deputy -- Deputy Chief Castellan, Deputy</b> 11 <b>Chief Rogowski and Director Pitassi, is</b> 12 <b>there anyone else at the police department</b> 13 <b>who you considered to be a manager?</b> 14     MR. CASPER: Object to form. 15     MR. COOPER: My objection 16     is -- and I think I know where 17     this is going. 18       Objection, calls for 19       a legal conclusion. 20       Therefore, this is an 21       objection as to his competency. 22       He is not an attorney. 23 BY MR. FOWLER: 24     <b>Q. You can answer it.</b></p>	<p>134</p> <p>1     <b>although sergeants and lieutenants could</b> 2 <b>make recommendations about discipline, they</b> 3 <b>couldn't do the discipline itself, is that</b> 4 <b>right?</b> 5     MR. COOPER: Are -- so -- 6       hold on a second. 7       Once again, objection, 8       calls for a legal conclusion. Not 9       to throw around cases, but Vance 10      versus Ball State is in issue as 11      to who's defined as a supervisor. 12       My client just doesn't 13       possess the competency to answer 14       that question. He can tell you 15       what he knows having been a 16       patrolman. 17 BY MR. FOWLER: 18     <b>Q. And that's what I'm asking is</b> 19 <b>based on what you know as a patrolman, do --</b> 20 <b>lieutenants and sergeants have the authority</b> 21 <b>to recommend discipline, right?</b> 22     A. Well, my direct observation was 23     that my lieutenants at the time issued 24     discipline --</p>
<p>135</p> <p>1     A. I'm not clear as to what exactly 2 you're asking here. 3     <b>Q. All right. And that's fair. And</b> 4 <b>that's doing what I asked you to earlier</b> 5 <b>is if you don't understand the question,</b> 6 <b>then give me a chance to rephrase it.</b> 7       <b>Do lieutenants have the</b> 8 <b>authority to discipline officers?</b> 9     MR. COOPER: Objection, calls 10      for a legal conclusion. 11       Again, competency is the 12      issue here. 13 BY MR. FOWLER: 14     <b>Q. Do you know?</b> 15     A. So, I mean, they can make 16 recommendations. When I was on Lieutenant 17 Dimaio's shift, there was two separate 18 schedules and the one was the one that got 19 sent to him or Castellan or whoever and 20 the other one was the double secret schedule 21 where you either got punished or reimbursed 22 based on how they felt a ruling went by the 23 administration. 24     <b>Q. Your understanding is that</b></p>	<p>137</p> <p>1     <b>Q. What dis- --</b> 2     A. -- Dimaio and Nunzio. 3     <b>Q. What discipline did your</b> 4 <b>lieutenants issue?</b> 5     A. If somebody showed up late for 6 work, they'd make you buy food for the 7 entire shift or if you showed up an hour 8 late, they would take the day away in 9 the book that was presented as pristine 10 and being the actual book and in the 11 other book, they'd reimburse it to you -- 12     <b>Q. Anything else?</b> 13     A. -- or vice versa. 14     <b>Q. Anything else?</b> 15     A. No, but my direct -- 16     MR. COOPER: No, no. 17     THE WITNESS: Go ahead. 18     MR. COOPER: This is really 19 a legal issue. 20     THE WITNESS: Yeah. 21 BY MR. FOWLER: 22     <b>Q. Did lieutenants and sergeants</b> 23 <b>have the authority to suspend somebody?</b> 24     MR. COOPER: Again, objection,</p>

John Scatchell, Jr.

August 5, 2020

<p>1        calls for a legal conclusion. This      2        witness is not competent to answer      3        that question. You can answer what      4        you know or what you believe.</p> <p>5        BY THE WITNESS:</p> <p>6        A. To my knowledge. I mean, they      7        make recommendations and -- and I've      8        physically seen -- or not physically, but      9        I've seen the discipline occur. So I can't      10       assume what goes on on the other shifts,      11       but I could assume it's probably uniform.      12       There's some unwritten rule for every      13       shift.</p> <p>14       BY MR. FOWLER:</p> <p>15       Q. <b>Have you ever seen a sergeant or lieutenant suspend an officer?</b></p> <p>16       A. I've -- again, off -- off of an      17       official document, sure, with the second      18       schedule.</p> <p>19       Q. <b>All right. Anything else?</b></p> <p>20       A. That's it.</p> <p>21       Q. <b>Have you ever heard any manager or supervisor at the village make any derogatory statements about your father's</b></p>	<p>138</p> <p>1        <b>Q. Have you ever personally heard any manager or supervisor make any derogatory statements about your father's support of Kyll Lavalais?</b></p> <p>2        MR. COOPER: Just so the      3        record --</p> <p>4        MR. CASPER: Objection, asked      5        and answered.</p> <p>6        MR. COOPER: Just so the record      7        is clear, Jeff, these are all --</p> <p>8        Director Pitassi, by example, is a      9        supervisor. So these are other      10       people, right?</p> <p>11       MR. FOWLER: Yeah. So -- and      12       that's fair.</p> <p>13       BY MR. FOWLER:</p> <p>14       Q. <b>We've already talked about those three and -- actually four. We were talking about the mayor, so let me ask the question differently.</b></p> <p>15       A. Okay.</p> <p>16       Q. <b>Other than those individuals that we've already talked about --</b></p> <p>17       A. Okay.</p>
<p>139</p> <p>1        <b>age?</b></p> <p>2        A. Who -- I'm sorry. Who am I      3        asking -- who's make the statements?</p> <p>4        Q. <b>In your mind anybody who you considered to be a manager or supervisor.</b></p> <p>5        A. Just what rumors are being thrown      6        around that --</p> <p>7        Q. <b>So let me ask the question differently.</b></p> <p>8        A. Okay.</p> <p>9        Q. <b>Have you ever personally heard any manager or supervisor at the village make any derogatory statements about your father's age?</b></p> <p>10       A. There has been again three or      11       four years of stuff. There has been      12       comments made. I can't recall them at      13       this time.</p> <p>14       Q. <b>Have you ever personally heard any manager or supervisor at the village make any derogatory statements about your father filing an EEOC charge?</b></p> <p>15       A. Not that I can recall at this      16       time.</p>	<p>141</p> <p>1        <b>Q. -- have you ever personally heard any manager or supervisor at the village make any derogatory statements about your father's support of Kyll Lavalais?</b></p> <p>2        A. Absolutely.</p> <p>3        Q. <b>Who?</b></p> <p>4        A. I can't recall at this time who      5        would have said it, but it was definitely      6        word amongst the supervisors. Dino was      7        not pleased at all. He even said so in the      8        meeting.</p> <p>9        Q. <b>What I'm asking is what you heard?</b></p> <p>10       A. I heard Dino argue in the meeting      11       with Kyll about his arbitration, something      12       that has nothing to do with Dino.</p> <p>13       Q. <b>Was that -- so what I'm asking is --</b></p> <p>14       A. That was at an FOP meeting.</p> <p>15       Q. <b>-- what did Dino say about your father in that meeting?</b></p> <p>16       A. He didn't say anything in the      17       meeting about my father. After the meeting,      18       he might have.</p> <p>19       Q. <b>So have you ever personally -- and when we say Dino --</b></p>

John Scatchell, Jr.

August 5, 2020

<p>1     A. Dimaio.</p> <p>2     Q. Have you ever heard Dino Dimaio 3 make any derogatory statements about your 4 father's support of Kyll Lavalais?</p> <p>5     A. Yes.</p> <p>6     Q. When was that?</p> <p>7     A. Just in passing in the parking 8 lot, on the street, he would make a 9 comment whenever he could because that's 10 Dino.</p> <p>11    Q. How many times have you heard 12 Dino Dimaio make negative comments about 13 your father's support of Kyll Lavalais?</p> <p>14    A. I don't think I've heard something 15 positive come out of Dino's mouth about my 16 father.</p> <p>17    Q. So the question is how many times 18 have you heard --</p> <p>19    A. I couldn't put a ballpark on it.</p> <p>20    Q. The times that you've heard it, 21 you said it was in passing.</p> <p>22    Anybody else present?</p> <p>23    A. I'm sure there was. Anybody that 24 would have been in the back lot where there</p>	<p>142</p> <p>1     presence.</p> <p>2     Q. Did you ever hear Dino Dimaio 3 make one of those kind of comments to 4 Deputy Chief Castellan?</p> <p>5     A. No, but he was explaining the 6 conversation as if he was having that 7 conversation with one of the two of them 8 and you can extrapolate it either occurred 9 in one of the two offices or at breakfast 10 at Cafe 23 where they go every day.</p> <p>11    Q. And did you ever hear Dino Dimaio 12 make one of those statements that was negative 13 toward your father's support of Kyll Lavalais 14 to Deputy Chief Rogowski?</p> <p>15    MR. CASPER: Object as to 16 form.</p> <p>17 BY THE WITNESS:</p> <p>18    A. Not that I could recall at this 19 time. I don't think Dino and Rogowski 20 really like each other.</p> <p>21 BY MR. FOWLER:</p> <p>22    Q. You're aware that the police 23 department had SOPs concerning the use 24 or abuse of sick time?</p>
<p>143</p> <p>1     is back lot meetings every day.</p> <p>2     Q. Okay. Do you recall any of 3 those specifically as you sit here today?</p> <p>4     A. Specifics, no, I do not recall 5 at this time.</p> <p>6     Q. As you sit here today, what 7 specifically do you recall Dino Dimaio 8 saying that was negative towards your 9 father's support of Kyll Lavalais?</p> <p>10    A. Who does he think he is, this 11 is why you guys can't promote him to 12 deputy chief, he's not going to do anything 13 you guys want him to do, that's why you 14 guys need to put me deputy chief.</p> <p>15    Q. Who was he talking to?</p> <p>16    A. He was talking to one of his 17 underlings and they're talking in the 18 context of he's having a conversation 19 with I would assume one of Rogowski -- 20 or not Rogowski, Castellan and Pitassi.</p> <p>21    Q. During those conversations, 22 did you ever hear Dino Dimaio make those 23 kind of statements to Director Pitassi?</p> <p>24    A. No, they would never talk in my</p>	<p>145</p> <p>1     MR. COOPER: You're okay.</p> <p>2 BY THE WITNESS:</p> <p>3     A. I am.</p> <p>4 BY MR. FOWLER:</p> <p>5     Q. And you were aware that the 6 department had an SOP requiring contact 7 with law enforcement?</p> <p>8     A. Fifth Amendment.</p> <p>9     Q. You're aware that -- so when 10 you say Fifth --</p> <p>11    A. Fifth Amendment.</p> <p>12    Q. -- you're saying --</p> <p>13    A. I'm invoking my Fifth Amendment 14 right.</p> <p>15    Q. You're aware that the department 16 had a rule requiring officers to be truthful 17 during investigations?</p> <p>18    A. Fifth Amendment.</p> <p>19    Q. We talked about the interrogation 20 earlier and you recall that you received a 21 Garrity warning during that interrogation?</p> <p>22    A. Fifth Amendment.</p> <p>23    MR. CASPER: Object to 24 asked and answered to that</p>

John Scatchell, Jr.

August 5, 2020

<p>1        question.      2 BY MR. FOWLER:      3        Q. And then we talked earlier about      4 you being present for the hearing before      5 the board on charges against you, right?      6        MR. CASPER: Object to      7                asked and answered.      8 BY MR. FOWLER:      9        Q. You recall that?      10      A. Yes.      11      Q. And including on October 22,      12 2018, when you were called as a witness,      13 do you recall that?      14      A. Fifth Amendment.      15      Q. During the October 22, 2018,      16 hearing, you were reminded that you had      17 been given the Garrity notice, correct?      18      A. Fifth Amendment.      19                (Document marked as Scatchell      20                Junior Exhibit No. 40 for      21                identification, 08/05/2020.)      22 BY MR. FOWLER:      23      Q. Taking a look at Scatchell Junior      24 Deposition Exhibit 40 --</p>	<p>146</p> <p>1        that now to be clear.      2        Q. When Deputy Chief Castellan      3 ordered you to take the stand, at that      4 point in time you had been sitting at      5 a table, you know, 15 feet or so back      6 away from where the "stand" was, is that      7 true?      8        A. Fifth Amendment.      9        Q. When Deputy Chief Castellan      10 ordered you to take the stand, you did      11 not rise up out of your seat, did you?      12        A. Fifth Amendment.      13        Q. When Deputy Chief Castellan      14 ordered you to take the stand, you did      15 not walk toward the front of the room      16 where the commissioners were, did you?      17        A. Fifth Amendment.      18        Q. When Deputy Chief Castellan      19 ordered you to take the stand, you did      20 not take the stand, did you?      21        A. Fifth Amendment.      22        Q. You were aware when you were      23 employed by the village that the police      24 department had very generous sick leave</p>
<p>147</p> <p>1        MR. CASPER: Counsel, is this      2 Bates 2368?      3        MR. FOWLER: Yes, sir.      4                (Document tendered      5                to the witness.)      6 BY MR. FOWLER:      7        Q. Do you see Exhibit 40?      8      A. Fifth Amendment.      9        Q. Is the signature on the line that      10 says John Scatchell, Jr. yours?      11      A. Fifth Amendment.      12      Q. During the hearing on October      13 22nd, you recall that Deputy Chief Castellan      14 was present?      15      A. Fifth Amendment.      16      Q. And during that hearing, you heard      17 Deputy Chief Castellan say to you I order      18 you to take the stand and answer all questions      19 truthfully and honestly?      20      A. Fifth Amendment.      21      Q. And when he said that, you      22 responded "at this time I assert my Fifth      23 Amendment right"?      24      A. Fifth Amendment. I'm asserting</p>	<p>149</p> <p>1        benefits, isn't that true?      2        MR. CASPER: Object to      3 form.      4        MR. COOPER: Object to      5 form, the adjective generous.      6                Can you rephrase the      7                question?      8 BY MR. FOWLER:      9        Q. Do you understand the question?      10      A. I don't agree with the use of the      11 word generous.      12      Q. Okay. You were aware that the      13 police department provided six months of      14 full pay for an off-duty injury?      15      A. I don't believe that to be true.      16 I thought it was three months and then      17 approved at the discretion of the director      18 is what I thought it was, but I'm not      19 positive on that.      20                (Document marked as Scatchell      21                Junior Exhibit No. 36 for      22                identification, 08/05/2020.)      23 BY MR. FOWLER:      24        Q. And -- all right. So let's -- in</p>

John Scatchell, Jr.

August 5, 2020

<p>1   <b>the book in front of you, look at Scatchell</b>  2   <b>Junior Exhibit 36.</b>  3       <b>And just to be clear,</b>  4   <b>Exhibit 36 is the agreement between the</b>  5   <b>FOP Lodge 19 and the village, right?</b>  6       <b>(Document tendered</b>  7       <b>to the witness.)</b></p> <p>8   <b>BY THE WITNESS:</b>  9       A. You'd have to be more specific  10      as to which agreement you're referring to.  11   <b>BY MR. FOWLER:</b>  12       <b>Q. This agreement was the one that</b>  13       <b>went into effect in 2018, right?</b>  14       A. There is no dates on the last page.  15      I'm looking at Page 11 to be clear, but I  16      believe this could be the contract. I'm not  17      positive.  18       <b>Q. Okay.</b>  19        MR. CASPER: We'll agree that  20        that is the contract if that helps  21        you at all.  22   <b>BY MR. FOWLER:</b>  23       <b>Q. And you were aware that the contract</b>  24       <b>that replaced the one from 2014 to 2017 reduced</b></p>	<p>150</p> <p>1   <b>signature?</b>  2       A. Fifth Amendment.  3                   (Document marked as Scatchell  4                   Junior Exhibit No. 3 for  5                   identification, 08/05/2020.)  6   <b>BY MR. FOWLER:</b>  7       <b>Q. Taking a look at Exhibit 3, is</b>  8       <b>that a note from your doctors that you</b>  9       <b>submitted to the police department?</b>  10       <b>(Document tendered</b>  11       <b>to the witness.)</b></p> <p>12   <b>BY THE WITNESS:</b>  13       A. Fifth Amendment.  14   <b>BY MR. FOWLER:</b>  15       <b>Q. You were released to work with</b>  16       <b>no restrictions in April 2015, is that</b>  17       <b>right?</b>  18       A. Fifth Amendment.  19        MR. CASPER: Wait -- wait.  20        I'm sorry. I do want to address  21        something with the witness right  22        now.  23                   For the record,  24                   Ms. Scatchell and myself do not</p>
<p>151</p> <p>1   <b>sick leave benefits?</b>  2       A. Fifth Amendment.  3       <b>Q. You had an injury in February of</b>  4       <b>2015, is that right?</b>  5       A. Fifth Amendment.  6       <b>Q. That injury was to your upper back</b>  7       <b>and lower neck?</b>  8       A. Fifth Amendment.  9                   (Document marked as Scatchell  10                  Junior Exhibit No. 1 for  11                  identification, 08/05/2020.)  12   <b>BY MR. FOWLER:</b>  13       <b>Q. And the book in front of you, if</b>  14       <b>you would, take a look at Exhibit 1, Scatchell</b>  15       <b>Junior Exhibit 1.</b>  16       <b>(Document tendered</b>  17       <b>to the witness.)</b></p> <p>18   <b>BY THE WITNESS:</b>  19       A. (Witness complied.)  20   <b>BY MR. FOWLER:</b>  21       <b>Q. Do you see Exhibit 1?</b>  22       A. Fifth Amendment.  23       <b>Q. The signature that's on the</b>  24       <b>line respectfully submitted, is that your</b></p>	<p>153</p> <p>1   represent John Scatchell, Jr. at  2   this deposition. I have not talked  3   to him at this deposition. I never  4   prepared him for the deposition.  5       Counsel for Mr. Scatchell,  6   can you instruct your witness why  7   he's taking the Fifth Amendment  8   as to some of these like the medical  9   documentation?  10       I just want to avoid a  11   further issue and I don't understand  12   this myself, like Exhibit 3.  13       MR. COOPER: He doesn't have  14   Garrity protection.  15       THE COURT REPORTER: I'm sorry?  16       MR. COOPER: Garrity, G-A-R-R-I-T-Y.  17       THE COURT REPORTER: I just  18   couldn't hear you. I'm sorry.  19       MR. COOPER: He doesn't have  20   Garrity protection.  21       MR. CASPER: As to exhibit --  22   what was the last question that was  23   asked?  24       MR. COOPER: He doesn't -- all</p>

John Scatchell, Jr.

August 5, 2020

	154		156
<p>1 right. So the starting point is      2 there were questions asked of him      3 in an interrogation a couple years      4 ago maybe. I don't recall the      5 exact date.      6 At that time he had      7 Garrity protection. He no longer      8 has Garrity protection. So it      9 seems prudent that he exercise his      10 Fifth Amendment right to remain      11 silent when necessary.</p> <p>12 MR. CASPER: Mr. Fowler, may      13 I make a suggestion?</p> <p>14 The questions about,      15 for example, Exhibit 3 in your      16 binder, is this a question about      17 that exhibit as it pertains to      18 Mr. Scatchell's response in the      19 interrogation or is this separate      20 from that entirely?</p> <p>21 I'm trying to understand      22 this Fifth Amendment invocation on      23 these exhibits because I don't know      24 myself.</p>		<p>1 A. Fifth Amendment.      2 MR. COOPER: If I may, just --      3 just to -- just so that the record      4 is clear to Mr. Casper, to Mr. Casper,      5 if -- if, in fact, there was not a      6 Fifth Amendment basis.      7 What I would do is seek      8 court intervention for a limiting      9 instruction as to the questions      10 that could be asked because this --      11 this deposition -- or I should say      12 this case concerns John Scatchell,      13 Sr. and asking questions about      14 John Scatchell, Jr.'s medical or      15 alleged medical issues just seems      16 as a roundabout way to prevail in      17 the pending administrative matter      18 before Judge Meyerson in which      19 John Scatchell, Jr. is challenging      20 the board's decision to terminate.      21 MR. CASPER: Okay. I don't --      22 I don't see any of that as relevant      23 and, frankly, from my perspective,      24 this is why we have separate counsel.</p>	
<p>155</p> <p>1 MR. COOPER: I'm not trying      2 to cut you off, Jeff, if you want      3 to answer, but for me, it doesn't      4 matter, you know, and if there were      5 not a Fifth Amendment objection, I      6 would make a relevance objection,      7 but we all know that a relevance      8 objection in a deposition doesn't      9 get us very far.      10 My client has a legitimate      11 basis to exercise his right to remain      12 silent.</p> <p>13 BY MR. FOWLER:</p> <p>14 Q. Dr. Sandoval was your personal      15 doctor?</p> <p>16 A. Fifth Amendment.</p> <p>17 Q. Nurse Practitioner Paulette      18 Feiereisel -- I'm having trouble with      19 that, I apologize -- do you know how to      20 pronounce it?</p> <p>21 A. Fifth Amendment.</p> <p>22 Q. Just so we're clear, it's      23 F-E-I-E-R-E-I-S-E-L, you're familiar with      24 her?</p>		<p>157</p> <p>1 Mr. Scatchell, Sr. would      2 like the testimony about, for      3 example, these medical records      4 that -- like, Scatchell Exhibit 3,      5 we -- we would like this too.      6 I don't understand the      7 Fifth Amendment invocation at this      8 point as to that either. I don't      9 understand that -- I do understand      10 it as to any questions about some      11 of the other stuff, but not as to      12 this.</p> <p>13 MR. COOPER: All right. Let me      14 talk to my client.      15 (Whereupon, after a short      16 break was had, the following      17 proceedings were held      18 accordingly.)      19 MR. FOWLER: All right. We      20 are back on.</p> <p>21 BY MR. FOWLER:</p> <p>22 Q. Since April 24th, 2015, you never      23 reported any work-related injury to your      24 supervisors, did you?</p>	

John Scatchell, Jr.

August 5, 2020

<p>1        A. Fifth Amendment.</p> <p>2        <b>Q. The next time you reported anything</b>  3        <b>was in October -- late October/early November</b>  4        <b>2017, right?</b></p> <p>5        A. Fifth Amendment.</p> <p>6        <b>Q. Now, as of November 9th, 2017,</b>  7        <b>up to that point, have you ever been</b>  8        <b>disciplined by anyone at the department?</b></p> <p>9           MR. COOPER: You could answer  10          that.</p> <p>11          MR. BERSANI: Could you read  12          back the question, please?</p> <p>13           (Whereupon, the requested  14          portion of the record was  15          read accordingly.)</p> <p>16          BY THE WITNESS:</p> <p>17          A. No.</p> <p>18          BY MR. FOWLER:</p> <p>19          <b>Q. Have you ever been reprimanded by</b>  20        <b>anyone at the department up until November</b>  21        <b>9th of 2017?</b></p> <p>22          MR. COOPER: Objection as to  23          form. The word reprimand seems  24          very broad.</p>	<p>158</p> <p>1        BY MR. FOWLER:</p> <p>2        <b>Q. Do you understand what I'm asking?</b></p> <p>3        A. Rephrase it, please.</p> <p>4        <b>Q. All right. Up until November 9th</b>  5        <b>of 2017, did any manager or supervisor do</b>  6        <b>anything to you that you didn't like?</b></p> <p>7        A. Pitassi when he promised me to  8          my face I don't know how many times that I  9          was going to traffic because I was a good  10         productive police officer and nobody could  11          say otherwise.</p> <p>12        <b>Q. Anything else?</b></p> <p>13        A. Not that I could recall at this  14          time.</p> <p>15        <b>Q. When did Director Pitassi first</b>  16        <b>say to you that you could go to traffic?</b></p> <p>17        A. That's probably been ongoing since  18          the second year I was on the job.</p> <p>19        <b>Q. So around 2013?</b></p> <p>20        A. Empty promises -- well, I wouldn't  21          qualify '13 because up until whatever point  22          I was on probation, let's just call it '14  23          because no -- in my opinion no officer with  24          that little experience would deserve a</p>
<p>159</p> <p>1        MR. CASPER: Join.</p> <p>2        BY MR. FOWLER:</p> <p>3        <b>Q. You can answer.</b></p> <p>4        A. Is there a -- somewhere I don't  5          know about where reprimands are documented  6          because I don't recall any.</p> <p>7        <b>Q. So you don't recall any reprimands?</b></p> <p>8        A. Not off the top of my head at this  9          time.</p> <p>10       <b>Q. Up until November 9th of 2017, had</b>  11       <b>you suffered any kind of adverse action of</b>  12       <b>any kind from a supervisor or manager at the</b>  13       <b>village?</b></p> <p>14        MR. CASPER: Objection to  15          form.</p> <p>16        MR. COOPER: Objection to  17          calls for a legal conclusion,  18          the phrase adverse action.</p> <p>19        This witness is not  20          competent to answer the question  21          as posed.</p> <p>22        Answer if you can  23          understand it.</p>	<p>161</p> <p>1        promotion, but once you get past your  2          probationary period and you know what  3          you're doing, then I think it's appropriate,  4          so that's where I'd ballpark it.</p> <p>5        <b>Q. On that issue, is there any</b>  6        <b>difference in 2016?</b></p> <p>7        A. Meaning?</p> <p>8        <b>Q. I don't know. You're saying</b>  9        <b>that you didn't get it -- you didn't get</b>  10       <b>put -- you wanted to be put in traffic,</b>  11       <b>right?</b></p> <p>12        A. At one point I did, yeah.</p> <p>13        <b>Q. Did you still want it in 2015?</b></p> <p>14        A. I believe I did. I had put in  15          for it all the way until the time that I  16          ended up on Lieutenant Dimaio's shift I  17          believe.</p> <p>18        <b>Q. When was that?</b></p> <p>19        A. That would have been after I  20          left Rogowski's shift so going '16 into  21          '17 I believe is when that occurred.</p> <p>22        <b>Q. And that's when you stopped</b>  23        <b>putting in for being assigned to traffic?</b></p> <p>24        A. Well, I -- I didn't think that</p>

John Scatchell, Jr.

August 5, 2020

	162	164
1	if I put in for it anybody would listen	1
2	anymore after you guys did whatever you	2
3	did. So I just stopped putting in for	3
4	it because nobody -- nobody ever listened	4
5	to begin with so...	5
6	<b>Q. Now --</b>	6
7	A. Although Sam promised me numerous	7
8	occasions.	8
9	<b>Q. -- going back to the interrogation</b>	9
10	<b>on January 9th of 2018 or thereabouts, you</b>	10
11	<b>answered questions about your activities</b>	11
12	<b>while you were on sick leave, right?</b>	12
13	MR. COOPER: You can answer	13
14	that.	14
15	MR. CASPER: Objection, asked	15
16	and answered.	16
17	BY THE WITNESS:	17
18	A. I believe I did.	18
19	BY MR. FOWLER:	19
20	<b>Q. And you said that you were so</b>	20
21	<b>inactive as a result of the injury that</b>	21
22	<b>you gained 50 pounds, is that true?</b>	22
23	A. Fifth Amendment.	23
24		24
	163	165
1	(Document marked as Scatchell	1
2	Junior Exhibit No. 4 for	2
3	identification, 08/05/2020.)	3
4	BY MR. FOWLER:	4
5	<b>Q. As of -- I'll tell you what, let's</b>	5
6	<b>make it easy.</b>	6
7	<b>Go to Scatchell Junior</b>	7
8	<b>Exhibit 4 in the book.</b>	8
9	<b>(Document tendered</b>	9
10	<b>to the witness.)</b>	10
11	BY THE WITNESS:	11
12	A. (Witness complied.)	12
13	BY MR. FOWLER:	13
14	<b>Q. Are you there?</b>	14
15	A. I'm here.	15
16	<b>Q. Did you see your doctor on or about</b>	16
17	<b>August 25th, 2016?</b>	17
18	A. Fifth Amendment.	18
19		19
20		20
21		21
22		22
23		23
24		24

42 (Pages 162 to 165)

John Scatchell, Jr.

August 5, 2020

	166		168
1		1	
2		2	
3		3	
4		4	
5		5	
6		6	
7		7	
8		8	
9	(Confidential testimony bound under separate cover.)	9	(Confidential testimony bound under separate cover.)
10		10	
11		11	
12		12	
13		13	
14		14	
15		15	
16		16	
17		17	
18		18	
19		19	
20		20	
21		21	
22		22	
23		23	
24		24	
	167		169
1		1	
2		2	
3		3	
4		4	
5		5	
6		6	
7		7	
8		8	
9	(Confidential testimony bound under separate cover.)	9	(Confidential testimony bound under separate cover.)
10		10	
11		11	
12		12	
13		13	
14		14	
15		15	
16		16	
17		17	
18		18	
19		19	
20		20	
21		21	
22		22	
23		23	
24		24	

43 (Pages 166 to 169)

L.A. Court Reporters, L.L.C.  
312-419-9292

John Scatchell, Jr.

August 5, 2020

	170		172
1		1	
2		2	
3		3	
4		4	
5		5	
6		6	
7		7	
8		8	
9	(Confidential testimony bound under separate cover.)	9	(Confidential testimony bound under separate cover.)
10		10	
11		11	
12		12	
13		13	
14		14	
15		15	
16		16	
17		17	
18		18	
19		19	
20		20	
21		21	
22		22	
23		23	
24		24	
	171		173
1		1	
2		2	
3		3	
4		4	
5		5	
6		6	
7		7	
8	(Confidential testimony bound under separate cover.)	8	(Confidential testimony bound under separate cover.)
9		9	
10		10	
11		11	
12		12	
13		13	
14		14	
15		15	
16		16	
17		17	
18		18	
19		19	
20		20	
21		21	
22		22	
23		23	
24		24	

44 (Pages 170 to 173)

L.A. Court Reporters, L.L.C.  
312-419-9292

John Scatchell, Jr.

August 5, 2020

	174		176
1 2 3 4 5 6 7 8 9      (Confidential testimony 10     bound under separate 11     cover.) 12 13 14 15 16 17 18 19 20 21 22 23 24	1 2 3 4 5 6 7 8 9      (Confidential testimony 10     bound under separate 11     cover.) 12 13 14 15 16 17 18 19 20 21 22 23 24		
	175		177
1 2 3 4 5 6 7 8 9      (Confidential testimony 10     bound under separate 11     cover.) 12 13 14 15 16 17 18 19 20 21 22 23 24	1 2 3 4 5 6 7 8 9      (Confidential testimony 10     bound under separate 11     cover.) 12 13 14 15 16 17 18 19 20 21 22 23 24		

45 (Pages 174 to 177)

L.A. Court Reporters, L.L.C.  
312-419-9292

John Scatchell, Jr.

August 5, 2020

	178	180
1 2 3 4 5 6 7 8 9       (Confidential testimony 10      bound under separate 11      cover.) 12 13 14 15 16 17 18 19 20 21 22 23 24		1 2 3 4 5 6 7 8       (Confidential testimony 9      bound under separate 10      cover.) 11 12 13 14 15 16 17 18 19 20 21 22 23 24
	179	181
1 2 3 4 5 6 7 8       (Confidential testimony 9      bound under separate 10      cover.) 11 12 13 14 15 16 17 18 19 20 21 22 23 24		1       (Confidential testimony 2      bound under separate 3      cover.) 4 5 6 7 8 9       MR. FOWLER: Thank you. I'm 10      glad you caught that, Cass. I 11      forgot. 12      BY MR. FOWLER: 13 <b>Q. Taking a look at the page that's</b> 14 <b>second from the end on the lower right,</b> 15 <b>it's marked DSC00312.</b> 16 <b>Do you see that page?</b> 17       A. Fifth Amendment. 18 <b>Q. That's a photograph of you, isn't</b> 19 <b>it?</b> 20       A. Fifth Amendment. 21 <b>Q. You're carrying several different</b> 22 <b>geese in that photo, correct?</b> 23       A. Fifth Amendment. 24 <b>Q. A goose generally weighs on average</b>

46 (Pages 178 to 181)

John Scatchell, Jr.

August 5, 2020

<p>1   <b>about ten pounds?</b></p> <p>2           MR. CASPER: Objection.</p> <p>3   BY MR. FOWLER:</p> <p>4      <b>Q. So what does a goose weigh?</b></p> <p>5           MR. COOPER: Fifth Amendment.</p> <p>6   BY THE WITNESS:</p> <p>7      A. Fifth Amendment.</p> <p>8   BY MR. FOWLER:</p> <p>9      <b>Q. During the period of time in</b>  10     <b>November of -- between November 9th and</b>  11     <b>December 2nd of 2017 -- well, strike that.</b></p> <p>12    Let me start over.</p> <p>13    Prior to November 9,  14    2017, were you familiar with Tony Scavo?</p> <p>15    A. Who?</p> <p>16    <b>Q. Sorry. That -- all right. Let</b>  17    <b>me try that one again.</b></p> <p>18    Prior to November 9, 2017,  19    were you familiar -- and if you guys tell  20    Tony I said that, I'm going to growl at you.</p> <p>21    Prior to November 9, 2017,  22    were you familiar with Tony Kyra?</p> <p>23    A. Yes.</p> <p>24    <b>Q. You knew him?</b></p>	<p>182</p> <p>1      A. Fifth Amendment.</p> <p>2      <b>Q. And while you were in Portland</b>  3      <b>in December of 2017, did you go hunting</b>  4      <b>with your grandfather?</b></p> <p>5      A. Fifth Amendment.</p> <p>6      <b>Q. Taking a look in the binder at</b>  7      <b>Exhibit 29, so starting with the first page,</b>  8      <b>the portion -- you recognize this as text</b>  9      <b>messages that you sent or received in May</b>  10     <b>and June of 2017?</b></p> <p>11     A. Fifth Amendment.</p> <p>12     <b>Q. Taking a look at the second page,</b>  13     <b>do you recognize that as a check that was</b>  14     <b>written as a deposit for a hunting trip for</b>  15     <b>you and Mr. Scavo?</b></p> <p>16     A. Fifth Amendment.</p> <p>17           (Document marked as Scatchell  18           Junior Exhibit No. 30 for  19           identification, 08/05/2020.)</p> <p>20    BY MR. FOWLER:</p> <p>21      <b>Q. Taking a look at Exhibit 30, do</b>  22      <b>you recognize that as a check that was</b>  23      <b>written for the hunting trip for you and</b>  24      <b>Mr. Scavo in 2017?</b></p>
<p>183</p> <p>1      A. Knew of him.</p> <p>2      <b>Q. Had you met him?</b></p> <p>3      A. At the station. He worked at the  4      same station I did.</p> <p>5      <b>Q. You knew what he looked like?</b></p> <p>6      A. Vaguely.</p> <p>7      <b>Q. During the period in late November</b>  8      <b>of 2017, were you aware that he was doing</b>  9      <b>surveillance on you?</b></p> <p>10     A. Fifth Amendment.</p> <p>11     MR. CASPER: I'm sorry.</p> <p>12     Mr. Scatchell, do you need to  13     take a break because I'm just  14     sitting here and it seems like  15     you and I need to take a break  16     right now?</p> <p>17     THE WITNESS: I'm good.</p> <p>18    BY MR. FOWLER:</p> <p>19      <b>Q. During the period in the fall of</b>  20      <b>2017, did you see Tony Kyra outside of the</b>  21      <b>police department?</b></p> <p>22     A. Fifth Amendment.</p> <p>23     <b>Q. In December of 2017, did you do</b>  24     <b>a trip to Portland with your grandfather?</b></p>	<p>185</p> <p>1      A. Fifth Amendment.</p> <p>2      <b>Q. During the interrogation on</b>  3      <b>January 9th, 2018, you were asked questions</b>  4      <b>about recoil of shotguns, isn't that true?</b></p> <p>5      A. Fifth Amendment.</p> <p>6      <b>Q. And after that interrogation, you</b>  7      <b>created videos of yourself shooting shotguns,</b>  8      <b>didn't you?</b></p> <p>9      A. Fifth Amendment.</p> <p>10     <b>Q. Were those videos produced to</b>  11     <b>your dad's attorneys here -- strike</b>  12     <b>that.</b></p> <p>13     Now, one of the attorneys  14     in the -- let me state that differently.</p> <p>15     One of attorneys in the  16     board proceedings was Gianna Scatchell,  17     true?</p> <p>18     MR. COOPER: Jeff, if he  19     knows the answer, I don't recall.</p> <p>20     She's not here. She can't say  21     whether or not she filed an  22     appearance.</p> <p>23     Do you know the answer?</p> <p>24     THE WITNESS: I don't know.</p>

John Scatchell, Jr.

August 5, 2020

	186		188
1	MR. FOWLER: She -- she stepped	1	that any such videos, if they do
2	up and answered on dates that you	2	exist, be produced right now? I
3	weren't there identifying herself	3	will talk to co-counsel about it.
4	as counsel for him.	4	MR. FOWLER: I mean, whether
5	Specifically, I think	5	it's right now, not during the
6	that was April 22nd.	6	course of the deposition.
7	MR. COOPER: If you know the	7	MR. COOPER: I will have that
8	answer.	8	conversation.
9	BY THE WITNESS:	9	MR. FOWLER: Thank you.
10	A. I'm not aware of the answer.	10	THE WITNESS: If you want, we
11	BY MR. FOWLER:	11	can take a break. It's up to you
12	<b>Q. Gianna Scatchell was aware that</b>	12	guys.
13	<b>you did videos of shooting shotguns, wasn't</b>	13	MR. FOWLER: If you want to --
14	<b>she?</b>	14	THE WITNESS: I've got to go
15	A. Fifth Amendment.	15	to the bathroom. So...
16	MR. CASPER: I'm going to	16	MR. FOWLER: That's fine. That's
17	object to the form and foundation.	17	fine.
18	Gianna Scatchell was aware?	18	MR. CASPER: All right. It's
19	BY MR. FOWLER:	19	4:01.
20	<b>Q. You knew that Gianna Scatchell was</b>	20	(Whereupon, after a short
21	<b>aware you did the videos?</b>	21	break was had, the following
22	MR. CASPER: Same objection.	22	proceedings were held
23	BY THE WITNESS:	23	accordingly.)
24	A. Fifth Amendment.	24	MR. CASPER: Back on the record.
	187		189
1	MR. COOPER: So you're asking	1	I just talked to my co-counsel, Jeff,
2	if...	2	about the videotapes that you were
3	MR. FOWLER: Chris -- Chris --	3	asking about and my understanding
4	hang on. The short of it is that	4	is those tapes were produced to
5	those videos have never been	5	you in the context of the police
6	produced in this case.	6	board case.
7	And my point is counsel	7	MR. FOWLER: They were produced
8	had it, so I'm -- I'm not going	8	in the police board case, I agree
9	anywhere else with it.	9	with that. They haven't been produced
10	MR. COOPER: All right.	10	in this case and they certainly haven't
11	MR. FOWLER: Don't sweat it.	11	been produced to the other parties.
12	MR. COOPER: All right.	12	MR. CASPER: All right. I was
13	MR. CASPER: I will -- I will	13	not aware of these tapes and that
14	say for the record, I am not aware	14	they had not been produced.
15	of those videos personally. I can	15	I will produce them in
16	look into that if you want to make	16	this case, but I want to emphasize
17	an issue of it. You've also never	17	this was an inadvertency on our
18	brought it to my attention. So...	18	part --
19	MR. FOWLER: Certainly you should	19	MR. FOWLER: I'm not suggesting
20	have a conversation if it's -- if he is	20	anything else.
21	relevant to this case, the videos are	21	MR. CASPER: -- and we'll produce
22	relevant to this case and so they	22	them in this case.
23	should be produced.	23	MR. FOWLER: I'm not suggesting
24	MR. CASPER: Are you requesting	24	anything else.

John Scatchell, Jr.

August 5, 2020

<p>1        MR. BERSANI: For the record,      2        that's the first time I ever heard      3        that these tapes even exist. I      4        never heard of that previously.      5        MR. CASPER: That candidly      6        is the first time I ever heard      7        of the existence. So...      8        MR. FOWLER: And just so      9        we're -- there was a question      10      about whether Ms. Scatchell was      11      counsel in the police board case      12      and taking a look at Exhibit 35,      13      in fact, let me do it with the      14      witness.      15            (Document marked as Scatchell      16            Junior Exhibit No. 35 for      17            identification, 08/05/2020.)      18      BY MR. FOWLER:      19            Q. Take a look at Exhibit 35, please.      20            (Document tendered      21            to the witness.)      22      BY THE WITNESS:      23            A. (Witness complied.)      24</p>	<p>190</p> <p>1        <b>Scatchell in the middle of the page?</b>      2        A. I do.      3        Q. She was one of the attorneys who      4        submitted this answer, right?      5        MR. COOPER: Well, yeah, I --      6        if he knows, he can answer the      7        question.      8        BY THE WITNESS:      9        A. I mean, it's on a piece of paper.      10      So I'm not sure what that implies, but...      11      BY MR. FOWLER:      12            Q. Okay. And that's the same Gianna      13            Scatchell that's representing your dad here      14            today, right?      15            MR. COOPER: Well -- so the      16            question is is Gianna Scatchell,      17            mentioned on the page, the same      18            Gianna Scatchell here today?      19            MR. FOWLER: Yes.      20            MR. COOPER: He can answer that.      21      BY THE WITNESS:      22            A. I believe so, yes.      23      BY MR. FOWLER:      24            Q. Okay. That's all I'm doing with</p>
<p>191</p> <p>1        BY MR. FOWLER:      2        Q. Do you recognize this as the answer      3        to the charges that was filed on your behalf      4        in the police board case?      5        MR. COOPER: If you know      6        the answer.      7      BY THE WITNESS:      8            A. It -- I mean, it might have      9        been. There has been so much paperwork.      10      So...      11      BY MR. FOWLER:      12            Q. And taking a look at the very last      13            page.      14            MS. SCATCHELL: Jeff, is that      15            the amended answer, too, or just      16            the answer?      17            MR. FOWLER: This is the original.      18            I didn't bring the amended answer.      19            I'm not using it as an exhibit with      20            him.      21            MS. SCATCHELL: Okay.      22      BY MR. FOWLER:      23            Q. So just looking at -- you see the      24            reference to the Law Offices of Gianna</p>	<p>193</p> <p>1        <b>that.</b>      2        (Document marked as Scatchell      3            Junior Exhibit No. 33 for      4            identification, 08/05/2020.)      5      BY MR. FOWLER:      6            Q. Take a look at Exhibit 33, please.      7            (Document tendered      8            to the witness.)      9      BY THE WITNESS:      10      A. (Witness complied.)      11      BY MR. FOWLER:      12            Q. What is Exhibit 33?      13      A. Fifth Amendment.      14            (Document marked as Scatchell      15            Junior Exhibit No. 34 for      16            identification, 08/05/2020.)      17      BY MR. FOWLER:      18            Q. Take a look at Exhibit 34, please.      19            (Document tendered      20            to the witness.)      21      BY THE WITNESS:      22      A. (Witness complied.)      23      BY MR. FOWLER:      24            Q. What is Exhibit 34?</p>

John Scatchell, Jr.

August 5, 2020

	194		196
<p>1       A. Fifth Amendment.</p> <p>2       <b>Q. Now, we were talking earlier</b></p> <p>3       <b>about the police board hearing and you</b></p> <p>4       <b>recall that there were half a dozen</b></p> <p>5       <b>different dates were -- that was up and</b></p> <p>6       <b>you were present between April and</b></p> <p>7       <b>November of 2018, right?</b></p> <p>8       A. Fifth Amendment.</p> <p>9       <b>Q. During the police board hearings,</b></p> <p>10      <b>you were aware that there were side</b></p> <p>11      <b>conferences between your attorney and the</b></p> <p>12      <b>attorney for the village?</b></p> <p>13      A. Fifth Amendment.</p> <p>14      <b>Q. During that period of time, you</b></p> <p>15      <b>were aware that you had the opportunity</b></p> <p>16      <b>to resign from your employment with the</b></p> <p>17      <b>village, isn't that true?</b></p> <p>18      A. Fifth Amendment.</p> <p>19      <b>Q. During the period of time from</b></p> <p>20      <b>November of 2017 through December of 2018,</b></p> <p>21      <b>did you apply for work as a police officer</b></p> <p>22      <b>with any other agency or city or organization?</b></p> <p>23      MR. CASPER: I object to</p> <p>24      that.</p>		<p>1       it. How does whether or not he</p> <p>2       applied anywhere else have any</p> <p>3       bearing on this complaint?</p> <p>4       MR. FOWLER: Same subject</p> <p>5       designed to lead to the discovery</p> <p>6       of relevant. So I'm entitled --</p> <p>7       MR. CASPER: How does that</p> <p>8       answer lead to --</p> <p>9       THE COURT REPORTER: Wait one</p> <p>10      second. I can't hear you, Counsel.</p> <p>11      MR. CASPER: Sorry.</p> <p>12      THE COURT REPORTER: That's okay.</p> <p>13      MR. CASPER: How does whether</p> <p>14      or not John Scatchell, Jr. applied</p> <p>15      or considered employment at other</p> <p>16      police entities between I think you</p> <p>17      said November 2017 to November 2018</p> <p>18      have any bearing on this complaint?</p> <p>19      MR. FOWLER: Obviously, we</p> <p>20      disagree. I think it does. So</p> <p>21      unless you're instructing him not</p> <p>22      to answer, I'm going to ask him</p> <p>23      to answer.</p> <p>24      MR. CASPER: I will allow this</p>	
	195		197
<p>1       Go ahead. Sorry. No</p> <p>2       objection.</p> <p>3       BY THE WITNESS:</p> <p>4       A. Can you repeat the date range once?</p> <p>5       BY MR. FOWLER:</p> <p>6       <b>Q. Between November of 2017 and December</b></p> <p>7       <b>of 2018.</b></p> <p>8       A. I have never put in a formal job</p> <p>9       application anywhere.</p> <p>10      <b>Q. Were you considering or considered</b></p> <p>11      <b>for an opportunity in Maywood?</b></p> <p>12      MR. CASPER: I'm having a</p> <p>13      hard time understanding how this</p> <p>14      question and these questions are</p> <p>15      relevant to this proceeding.</p> <p>16      MR. FOWLER: You put in this</p> <p>17      complaint that one of the things</p> <p>18      that plaintiff is complaining about</p> <p>19      is that John Jr. did not have the</p> <p>20      opportunity to resign. That's in</p> <p>21      your complaint, in the new one.</p> <p>22      MR. CASPER: Okay. But how</p> <p>23      does whether or not he -- and you</p> <p>24      asked that question and he answered</p>		<p>1       to go forward a little bit, but at</p> <p>2       some point, we're just getting</p> <p>3       too far afield, but I will not --</p> <p>4       MR. FOWLER: Do you need the</p> <p>5       question read back?</p> <p>6       MR. CASPER: No. I'm allowing</p> <p>7       him to answer the question. I mean,</p> <p>8       I'm not --</p> <p>9       MR. COOPER: Okay.</p> <p>10      BY MR. FOWLER:</p> <p>11      <b>Q. So let me rephrase the question.</b></p> <p>12      <b>During the period from</b></p> <p>13      <b>November 9th, 2017, to December of 2018,</b></p> <p>14      <b>did -- were you considering an opportunity</b></p> <p>15      <b>to accept a position with Elmwood Park?</b></p> <p>16      MR. COOPER: You can answer</p> <p>17      that.</p> <p>18      BY THE WITNESS:</p> <p>19      A. I entertained it until I found out</p> <p>20      that Deputy Chief Castellan was close friends</p> <p>21      with Deputy Chief Hock over there and I just</p> <p>22      thought it's the same exact scenario especially</p> <p>23      if I'm not going to be going over there and</p> <p>24      bringing my dirty laundry there. Melrose Park</p>	

John Scatchell, Jr.

August 5, 2020

<p>1 can stay in Melrose Park.      2 BY MR. FOWLER:      3     <b>Q. So you were the one who decided 4 not to pursue the opportunity, right?</b>      5     A. Absolutely.      6         (Document marked as Scatchell      7             Junior Exhibit No. 42 for      8             identification, 08/05/2020.)      9 BY MR. FOWLER:      10    <b>Q. Referring to Exhibit 42, at a 11 glance, it looked to me like Exhibit 42 12 was included in the documents that you 13 gave --</b>      14    MR. FOWLER: And, Cass, I      15    need those documents that he      16    brought with him today.      17    THE WITNESS: I think you      18    still have them.      19    MR. FOWLER: No. They went      20    from him to Cass and I haven't      21    seen them since.      22    MS. SCATCHELL: The grievances      23    from yesterday?      24    MR. CASPER: No, no, the stack</p>	<p>198</p> <p>1     <b>at the torn papers was a portion of the stack 2 that you had.</b>      3     <b>So what I'm asking you is 4 do you recognize Exhibit 42?</b>      5     MR. COOPER: You can answer      6         that.      7     BY THE WITNESS:      8         A. Yes, I do.      9     BY MR. FOWLER:      10    <b>Q. And these are the grievances that 11 you submitted and the responses to the 12 grievances?</b>      13    A. I don't know if they're all in      14    here. I would have to look through them.      15    <b>Q. Take your time and look through.</b>      16    A. Even if I did take my time and      17    look through, I submitted several grievances      18    and none of them were ever truly entertained,      19    but I'd say the documents in here I submitted      20    these.      21    <b>Q. Were there any grievances that you 22 submitted that are not included in Exhibit 23 42?</b>      24    A. That I can recall off the top of my</p>
<p>199</p> <p>1 of documents.      2     MR. FOWLER: I haven't seen      3    them yet.      4     MS. SCATCHELL: It might not      5    be relevant.      6     MR. CASPER: Well, hang on.      7    Hang on. I thought -- I thought      8    you did review those.      9     MR. FOWLER: No. They went      10    from Mike to you.      11    MR. BERSANI: I reviewed them.      12    You reviewed them.      13    MR. CASPER: What did you do      14    with those? Are they right there?      15    That's it. That's it right there.      16    We will gather them.      17    MR. FOWLER: I need them before      18    I finish.      19    MR. CASPER: Okay. We'll gather      20    them.      21    MS. SCATCHELL: Uh-huh.      22 BY MR. FOWLER:      23     <b>Q. So my question what led to that 24 is I believe that Exhibit 42 when I glanced</b></p>	<p>201</p> <p>1 head, no.      2     <b>Q. Are there any responses that you 3 received that are not included in Exhibit 4 42?</b>      5     A. Verbal responses.      6     <b>Q. Okay. Anything else?</b>      7     A. Not that I can recall off the top      8    of my head at this time.      9     <b>Q. Who did you receive verbal responses 10 from?</b>      11    A. Mark Reiger.      12    <b>Q. And he was your direct supervisor?</b>      13    A. When he was at work.      14    <b>Q. How many times did he directly 15 respond verbally to you about your grievances?</b>      16    A. Took me in the car, rode me around,      17    explained to me the politics of Melrose Park      18    and how I should just play the game and just      19    do what they say and it will probably go away,      20    stuff like that.      21    <b>Q. And when did that conversation take 22 place?</b>      23    A. Right in the middle of the proceedings,      24    2018 at some point.</p>

John Scatchell, Jr.

August 5, 2020

<p>1     <b>Q. You're saying middle of 2018?</b></p> <p>2     A. Some -- at some point in 2018.</p> <p>3         MR. FOWLER: That's way more</p> <p>4         than he gave and the only reason</p> <p>5         I'm saying that is I don't want</p> <p>6         you to --</p> <p>7         MS. SCATCHELL: These are all</p> <p>8         the copies. So what happened was</p> <p>9         what you saw was one copy from each</p> <p>10        of these. So I already put them</p> <p>11        back in -- you know, we passed out</p> <p>12        copies for you, for us, for him,</p> <p>13        for the court reporter. So that's</p> <p>14        why you see more copies.</p> <p>15         So when you just look at</p> <p>16         it, each one of these top documents,</p> <p>17         that's what was reviewed.</p> <p>18         MR. FOWLER: So here's what</p> <p>19         I'm going to do, since Mike saw</p> <p>20         these, I'm going to ask Mike to</p> <p>21         go through -- sorry, Mike.</p> <p>22         MR. BERSANI: Are you paying me</p> <p>23         to do this? I'll be happy to do that.</p> <p>24         MR. FOWLER: Thank you, Mike.</p>	<p>1     <b>Q. Anything else?</b></p> <p>2     A. No.</p> <p>3     <b>Q. None of your grievances -- strike</b></p> <p>4     <b>that.</b></p> <p>5         <b>You're aware that the</b></p> <p>6         <b>process is that to go to arbitration, it</b></p> <p>7         <b>has to be decided by the FOP, isn't that</b></p> <p>8         <b>right?</b></p> <p>9         A. I was never given any decision.</p> <p>10        <b>Q. You knew that the FOP was the</b></p> <p>11        <b>one that pushes it to arbitration?</b></p> <p>12         A. I would say yeah.</p> <p>13         <b>Q. Okay. And none of your grievances</b></p> <p>14         <b>went to arbitration, right?</b></p> <p>15         A. To my knowledge, no.</p> <p>16         <b>Q. Do you know why?</b></p> <p>17         A. I was never given an answer.</p> <p>18         President Gepetta and Vice-President Natale</p> <p>19         don't like me or at that time those two</p> <p>20         didn't like me. That's the problem.</p> <p>21         <b>Q. One of the issues in your grievances</b></p> <p>22         <b>is that you didn't receive a day of pay for a</b></p> <p>23         <b>birthday or birthday off, something like that,</b></p> <p>24         <b>do you recall that?</b></p>
<p>1     203</p> <p>1     BY MR. FOWLER:</p> <p>2     <b>Q. During that conversation with</b></p> <p>3     <b>Reiger, was anybody else present?</b></p> <p>4     A. No.</p> <p>5     <b>Q. In that conversation, what exactly</b></p> <p>6     <b>did he say and what did you say?</b></p> <p>7     A. Obviously it's a three-year-old --</p> <p>8     two-year-old conversation approaching. So</p> <p>9     I'm paraphrasing, but like I said, he said</p> <p>10     just play ball, you should stop writing</p> <p>11     these letters, this ain't helping you,</p> <p>12     blah, blah, blah.</p> <p>13         And my response to that was</p> <p>14         I'm just supposed to take a backseat when</p> <p>15         my career is on the line, I'm just supposed</p> <p>16         to sit here and do nothing.</p> <p>17     <b>Q. Anything else?</b></p> <p>18     A. I mean there were injustices and</p> <p>19     I addressed them in these grievances.</p> <p>20     Director Pitassi disagreed and it never</p> <p>21     really went any further.</p> <p>22         I heard a little bit about</p> <p>23         one going to arbitration and that was it</p> <p>24         and I never heard nothing since that point.</p>	<p>1     205</p> <p>1     A. I believe I recall that.</p> <p>2     <b>Q. And you did receive that in 2018,</b></p> <p>3     <b>didn't you, after the grievances?</b></p> <p>4     A. I don't recall that.</p> <p>5     <b>Q. You don't recall one way or the</b></p> <p>6     <b>other?</b></p> <p>7     A. At this time, no.</p> <p>8     <b>Q. Did you ever file a claim with</b></p> <p>9     <b>the Illinois Department of Labor about</b></p> <p>10     <b>not receiving compensation that was owed</b></p> <p>11     <b>to you?</b></p> <p>12     A. I don't recall at this time.</p> <p>13     <b>Q. Do you have any personal knowledge</b></p> <p>14     <b>of a policy at the Village of Melrose Park</b></p> <p>15     <b>of retaliating against people for exercising</b></p> <p>16     <b>First Amendment rights?</b></p> <p>17         MR. CASPER: I object to --</p> <p>18         well, no objection.</p> <p>19     BY THE WITNESS:</p> <p>20         A. I'm not aware of the exact policy,</p> <p>21         but I know one exists.</p> <p>22     BY MR. FOWLER:</p> <p>23         <b>Q. How do you know one exists?</b></p> <p>24         A. That's common sense. First</p>

John Scatchell, Jr.

August 5, 2020

<p>1 Amendment right is protected speech.      2 That's anywhere. This is the United      3 States of America. So Melrose Park      4 applies to that. I would assume they      5 have that in the SOPs. That's a pretty      6 safe assumption.</p> <p>7 <b>Q. Okay. So just so I'm clear,</b>      8 <b>what you're saying your testimony is</b>      9 <b>that you're aware that there is a policy</b>      10 <b>of allowing First Amendment speech, is</b>      11 <b>that true?</b></p> <p>12 <b>Is that what you're saying?</b>      13 MR. COOPER: Objection, calls      14 for a legal conclusion, the phrase      15 First Amendment.</p> <p>16 BY THE WITNESS:</p> <p>17 A. My understanding of your question      18 is you're asking me is there an SOP that      19 protects First Amendment -- free speech.      20 I believe there is. I'm not positive on      21 it.</p> <p>22 BY MR. FOWLER:</p> <p>23 <b>Q. Okay. That wasn't actually what</b>      24 <b>I was asking you.</b></p>	<p>206</p> <p>1 A. Let's see. Well --      2 MR. COOPER: Objection,      3 asked and answered.      4 Go ahead and answer      5 again. Same names you gave earlier.</p> <p>6 BY THE WITNESS:</p> <p>7 A. Yeah. I mean, Jeff Juan, you guys      8 forced him out. Devon Moss, he was in      9 Afghanistan, you guys fired him for residency.      10 His residency at the time was Afghanistan.      11 So, I mean, let's see. You guys forced out,      12 Mark Lockton. Who else? Gil Espinosa.      13 Fired Angela Williams, but      14 again Steve Pesch arguably still doesn't      15 live in town. He mows the lawn occasionally,      16 puts on a nice show. Jerry Manzel definitely      17 doesn't live in town right now and claims      18 the consensus -- not a -- what do you call      19 it decree, a homeowner's exemption on the      20 house that he had as out west versus the      21 house that he has here. He claimed one on      22 both. How do you do that?</p> <p>23 BY MR. FOWLER:</p> <p>24 <b>Q. Anybody else?</b></p>
<p>207</p> <p>1 A. Okay.</p> <p>2 <b>Q. So thank you for --</b></p> <p>3 A. Please be clear about it then for      4 me.</p> <p>5 <b>Q. I will certainly try.</b></p> <p>6 <b>Are you aware of any</b>      7 <b>express policy to retaliate against people</b>      8 <b>who have exercised their First Amendment</b>      9 <b>rights?</b></p> <p>10 A. Is there a policy? Okay. Now,      11 I understand your question. No, but there      12 is unwritten rules, sure.</p> <p>13 <b>Q. How do you know that there are</b>      14 <b>unwritten notes?</b></p> <p>15 A. Look at my father. He is a prime      16 example.</p> <p>17 <b>Q. Anything else?</b></p> <p>18 A. Look at anybody they forced out      19 of this town versus the people that were      20 allowed to stay that did far greater things      21 or far worse things I should say than      22 whatever was accused of anybody in this      23 case.</p> <p>24 <b>Q. Who do you believe was forced out?</b></p>	<p>209</p> <p>1 A. No.</p> <p>2 <b>Q. What did Jeff Juan say or do that</b>      3 <b>you believe was protected by the First</b>      4 <b>Amendment?</b></p> <p>5 A. I believe he told somebody he      6 lived out of town and they told somebody      7 else and that's how he got in trouble or      8 invited somebody.</p> <p>9 <b>Q. Now, do you have any firsthand</b>      10 <b>knowledge of that or is that just what</b>      11 <b>you're guessing?</b></p> <p>12 A. And that's my belief based on      13 conversations I had with people around      14 the time.</p> <p>15 <b>Q. What firsthand knowledge do you</b>      16 <b>have that Devon Moss engaged in First</b>      17 <b>Amendment protected activity of speech?</b></p> <p>18 A. He was serving our country at      19 the time that you guys fired him. He told      20 everybody he lived in town before that and      21 still you guys fired him. So -- and I know      22 he lived in town because I actually saw      23 him at his house and he used to come and      24 visit me and my neighbor walking.</p>

John Scatchell, Jr.

August 5, 2020

<p>1     <b>Q. Anything else?</b></p> <p>2     A. That's all.</p> <p>3     <b>Q. What First Amendment protected</b> 4     <b>activity did Mark Lockton engage in?</b></p> <p>5     A. Free speech.</p> <p>6     <b>Q. What speech?</b></p> <p>7     A. He was talking about something 8     in Harlo about the mayor never promoting 9     him and then it turned into a whole thing 10    where Pitassi wanted to fire him over it.</p> <p>11    <b>Q. Where did -- how do you know</b> 12    <b>that Mark Lockton --</b></p> <p>13    A. Because I was sitting with Mark 14    when he said it.</p> <p>15    <b>Q. Remember you got to let me finish</b> 16    <b>my question. Okay?</b></p> <p>17    A. Okay.</p> <p>18    <b>Q. When did that conversation take</b> 19    <b>place?</b></p> <p>20    A. Shortly after Mark retired, took 21    his forced retirement.</p> <p>22    <b>Q. Anybody else present?</b></p> <p>23    A. I forgot who the village official 24    was, but somebody was sitting two seats down</p>	<p>210</p> <p>1     A. The old Harlo, the way that the 2     old Harlo was laid out, there was just one 3     consecutive line of seats, so one next to 4     the other next to the other.</p> <p>5         And I don't think there 6     was anybody sitting between Mark and whoever 7     that -- I believe he was a fireman. I don't 8     think he is there anymore.</p> <p>9     <b>Q. That person wasn't part of your</b> 10    <b>conversation, but you think they could have</b> 11    <b>overheard it, is that what you're saying?</b></p> <p>12    A. Oh, they definitely overheard it 13    because they actually made remarks about it.</p> <p>14    <b>Q. Who -- and you don't know who that</b> 15    <b>person was?</b></p> <p>16    A. He's a fireman. I would remember 17    his face if I saw him. I don't remember.</p> <p>18    <b>Q. A fireman meaning a firefighter</b> 19    <b>or --</b></p> <p>20    A. A firefighter in the Village of 21    Melrose Park, yes.</p> <p>22    <b>Q. During that conversation with</b> 23    <b>Mr. Lockton, what did he say to you and</b> 24    <b>what did you say to him?</b></p>
<p>211</p> <p>1     and it doesn't take a brain surgeon to 2     extrapolate what occurred from there.</p> <p>3     <b>Q. So this was after Mark Lockton</b> 4     <b>had retired?</b></p> <p>5     A. I'm sorry. I misspoke. This 6     was before he had officially retired. 7     He was still on the books because from 8     when he retired, his time carried him 9     to I believe August of that year if my --</p> <p>10    <b>Q. So if I'm hearing what you're</b> 11    <b>saying right that he had already put in</b> 12    <b>the papers for retirement but he was just --</b> 13    <b>this was the interim period that he was</b> 14    <b>burning up his used time, is that fair?</b></p> <p>15    A. Correct. I don't know -- I don't 16    have direct knowledge that any papers were 17    submitted at that point. I just know that 18    that was -- he was to be off the books 19    around August of that year.</p> <p>20    <b>Q. During -- and you said that there</b> 21    <b>was some village official two seats down.</b> 22         Was that in a different</p> <p>23         table or booth or was that part of this</p> <p>24         same conversation?</p>	<p>211</p> <p>1     A. He just talked about how it was 2     BS that this guy gets promoted, this guy 3     gets promoted, this guy gets promoted and 4     the mayor has done nothing for me.</p> <p>5     <b>Q. Anything else?</b></p> <p>6     A. That I can recall, no.</p> <p>7     <b>Q. What did Gil Espinosa do that</b> 8     <b>you believe was protected by the First</b> 9     <b>Amendment?</b></p> <p>10    A. Again, told people where he 11    lived.</p> <p>12    <b>Q. Anything else?</b></p> <p>13    A. Made the mistake of trusting 14    people that he shouldn't have.</p> <p>15    <b>Q. Anything else?</b></p> <p>16    A. That I can recall at this time, 17    no.</p> <p>18    <b>Q. What did Angela Williams do that</b> 19    <b>you believe was protected by the First</b> 20    <b>Amendment?</b></p> <p>21    A. She was occupying a job somebody 22    else wanted.</p> <p>23    <b>Q. Anything else?</b></p> <p>24    A. And again invited people to her</p>

John Scatchell, Jr.

August 5, 2020

	214		216
<p>1 house, told people where she lived. None      2 of these instances of residency were      3 secrets. The only secret that remains      4 is that Steve Pesch and Jerry Manzel      5 don't live in town.</p> <p>6 <b>Q. So a minute ago I was asking you</b>      7 <b>the questions about a policy, right?</b></p> <p>8       <b>You understood that?</b></p> <p>9       A. (Witness nodded.)</p> <p>10     <b>Q. And do you believe that there</b>      11 <b>is a difference between a policy and a</b>      12 <b>custom?</b></p> <p>13     <b>Do you know what the term</b>      14 <b>"custom" means?</b></p> <p>15     MR. CASPER: Object to      16       foundation.</p> <p>17 BY THE WITNESS:</p> <p>18     A. Something that's passed down,      19 traditional or something like that would      20 be how I would --</p> <p>21 BY MR. FOWLER:</p> <p>22     <b>Q. So if I were to ask you the</b>      23 <b>similar kind of question, do you have</b>      24 <b>any personal knowledge of a custom within</b></p>	<p>1       A. I know there's names that I'm      2 forgetting, but, I mean, there's so many      3 names and so much stuff to go over at      4 this time, I don't recall anybody else.</p> <p>5       <b>Q. What did Mario Trombetta do or</b>      6 <b>say that you believe was covered by the</b>      7 <b>First Amendment?</b></p> <p>8       A. What did he do or say? He was      9 vocal against the mayor and the mayor      10 went after him.</p> <p>11     <b>Q. When was that?</b></p> <p>12     A. Twenty years ago, whenever that      13 lawsuit was. I do believe the mayor lost      14 or the village lost, one of the two.</p> <p>15     <b>Q. And do you -- do you have any</b>      16 <b>personal knowledge of what happened either</b>      17 <b>with what Mr. Trombetta said or did or the</b>      18 <b>mayor's response to it?</b></p> <p>19     A. That would have been -- if the      20 lawsuit was around the year 2000, I would      21 have been 11 or 12 years old. My focus      22 wasn't on this stuff.</p> <p>23     <b>Q. So is the answer you do not have</b>      24 <b>personal knowledge?</b></p>		
	215		217
<p>1 <b>the village of retaliating against people</b>      2 <b>for First Amendment rights, would that be</b>      3 <b>the same five people that you just gave</b>      4 <b>me?</b></p> <p>5       A. I would probably add -- was it      6 Mario Trombetta to the list.</p> <p>7       <b>Q. Anybody else?</b></p> <p>8       A. And he was the one that had a      9 lawsuit with the mayor I believe 20 years      10 ago.</p> <p>11     <b>Q. Anybody else?</b></p> <p>12     A. At this time -- well, Jennifer      13 McMillan. She spoke out against somebody      14 sending her from this building, this very      15 building, sending her a picture of his      16 genitalia and then shortly thereafter was      17 fired.</p> <p>18     MR. BERSANI: Could you      19 read back that answer, please?      20       (Whereupon, the requested      21       portion of the record was      22       read accordingly.)</p> <p>23 BY MR. FOWLER:</p> <p>24     <b>Q. Anybody else?</b></p>	<p>1       A. I don't recall at this time.</p> <p>2       <b>Q. Jennifer McMillan, who is she?</b></p> <p>3       A. She worked for the village.</p> <p>4       <b>Q. What was her job?</b></p> <p>5       A. I know she worked at the desk.      6 I don't know exactly what she did here.      7 She was here quite sometime and her father      8 had just passed away right before all of      9 this stuff happened and a custom -- if      10 you want to ask what customs are, in this      11 town, everybody is perceived to have clout      12 or most people are perceived to have what      13 is called clout in this town and the new      14 custom apparently is once you're perceived      15 clout or what people call clout around      16 town dies, then so does your career.</p> <p>17       And that -- I'm not saying      18 that applies to me in any way whatsoever.      19 I'm speaking specifically to Jennifer      20 McMillan.</p> <p>21     <b>Q. When did she leave village's</b>      22 <b>employment?</b></p> <p>23     A. She didn't leave. She was fired.</p> <p>24     <b>Q. When was she fired?</b></p>		

John Scatchell, Jr.

August 5, 2020

<p>1     A. I think it was this year. And 2 another -- and another person that I 3 actually do recall now and I don't have 4 firsthand knowledge of it, but it's rumors 5 around town would be Jimmy Principe. 6        And the rumor around town 7 is he was fired for the mayor's speech 8 because the mayor was the one referring 9 to him as derogatory terms. 10      <b>Q. So Jennifer --</b> 11     A. They used his -- they used it as 12 saying he had used his free speech, that's 13 why we fired him. 14      <b>Q. Do you have any personal knowledge</b> 15 <b>of Jennifer McMillan complaining about</b> 16 <b>somebody sending her a picture?</b> 17     A. I heard from many people throughout 18 this town, people that work in this building 19 or visit this building often. It was a very 20 well-known fact in this town. 21      <b>Q. Who did you hear it from?</b> 22     A. I can't recall at this time, many 23 people. 24      <b>Q. Do you have any firsthand knowledge</b></p>	<p>218</p> <p>1     A. No, but, I mean, her direct 2 supervisors would have been -- well, 3 Christine is head of HR and the mayor 4 is the mayor. So... 5      <b>Q. Who was her direct supervisor?</b> 6     A. I wouldn't know. Christine 7 Piemonte being head of HR, but aside from 8 that, I don't know any of the structure 9 in this particular building. I can't speak 10 to that. 11      <b>Q. Do you have -- so we've talked</b> 12 <b>about several individuals and other than</b> 13 <b>those individuals.</b> 14      <b>Do you have any knowledge</b> 15 <b>of a practice within the Village of Melrose</b> 16 <b>Park of retaliating against people for</b> 17 <b>exercising First Amendment rights?</b> 18     A. It seems to be a practice, yeah, 19 or a common theme -- 20      <b>Q. Okay.</b> 21     A. -- that if you speak out against 22 the village, your days are numbered. 23      <b>Q. Other than with respect to the</b> 24 <b>individuals that you just mentioned, Jeff</b></p>
<p>219</p> <p>1      <b>as to the reasons why she was fired?</b> 2     A. No. But I know it was in 3 retaliation for what she did. 4      <b>Q. How do you know that?</b> 5     A. Because that was the word around 6 town. You don't go against this town and 7 expect to work here. That's -- that's what 8 they've made abundantly clear. 9      <b>Q. Anything else?</b> 10     A. Just like when they sent 11 Attorney Scatchell a letter saying something 12 to the effect of she took an adverse action 13 because of Kyll's thing. It's black and 14 white that if you oppose the village, guess 15 what, your time is running out as to your 16 employment. You can't have an opinion that 17 differs from the village and still work 18 here. 19      <b>Q. Who made the decision to discharge</b> 20 <b>Jennifer McMillan?</b> 21     A. I would have to assume that came 22 from either Christine Piemonte or Mayor 23 Serpico. 24      <b>Q. You don't know?</b></p>	<p>221</p> <p>1      <b>Juan, Devon Moss, Mark Lockton, Gil Espinosa,</b> 2 <b>Angela Williams, Mark (sic) Trombetta,</b> 3 <b>Jennifer McMillan and Jimmy Principe --</b> 4     A. I think it was Mario, Mario 5 Trombetta. 6      <b>Q. Mario. Sorry.</b> 7     A. No worries. 8      <b>Q. Do you have personal knowledge</b> 9 <b>of anyone else who you believe was subjected</b> 10 <b>to a practice of retaliation?</b> 11     A. Johnny Simpson, Sr. 12      <b>Q. Anybody else?</b> 13     A. Sam stuffed him in the hole, 14 made his shift 8:00 p.m. to 4:00 a.m. 15      <b>Q. Anybody else?</b> 16     A. Not that I can recall at this time. 17      <b>Q. When was -- when you're saying</b> 18 <b>Johnny Simpson, Sr. he was made station</b> 19 <b>supervisor?</b> 20     A. I believe that was the title given 21 to him. Nobody ever called it that. 22      <b>Q. And your position is that he was</b> 23 <b>then assigned to the same office that your</b> 24 <b>father was assigned to?</b></p>

John Scatchell, Jr.

August 5, 2020

<p>1     A. Correct. This is --</p> <p>2     <b>Q. When was that?</b></p> <p>3     A. In the mid-2000s before Simpson 4     retired.</p> <p>5     <b>Q. And how do you know that Johnny 6     Simpson engaged in First Amendment protected 7     activity?</b></p> <p>8     A. Because he did something that 9     upset Director Pitassi and that was his 10    response and that was a well-known fact 11    around town and it's something that still 12    bothers people as far as how they can 13    trust Pitassi based on how he treated his 14    best friend.</p> <p>15    <b>Q. So my question was how do you 16    know that?</b></p> <p>17    A. Word-of-mouth.</p> <p>18    <b>Q. Anything else?</b></p> <p>19    A. That's it.</p> <p>20    <b>Q. You filed charges against Deputy 21    Chief Castellan with the Board of Fire and 22    Police Commissioners, right?</b></p> <p>23    A. I did.</p> <p>24    <b>Q. One of -- one of the allegations</b></p>	<p>222</p> <p>1     Carfax and noticed the odometer was way off 2     and that was perfectly evident when you put 3     the VIN into Carfax, it confirmed that.</p> <p>4     <b>Q. My question to you is what firsthand 5     knowledge do you have of that incident?</b></p> <p>6     A. I was told by somebody who spoke 7     directly to Bobby Anzaldi, Sr.</p> <p>8     <b>Q. And who told you?</b></p> <p>9     A. I don't remember who that was at 10    this time.</p> <p>11    <b>Q. You don't have any other firsthand 12    knowledge?</b></p> <p>13    A. Just Nowicki running around the 14    station saying do you believe this guy sold 15    me a lemon.</p> <p>16    <b>Q. You never had any conversation with 17    Anzaldi about it?</b></p> <p>18    A. Senior?</p> <p>19    <b>Q. Whoever the Anzaldi who --</b></p> <p>20    A. It's Anzaldi, Sr. No, because 21    something happened with Greg Salvi with the 22    evidence room and then shortly thereafter 23    Robert Anzaldi banished from the face of 24    the earth.</p>
<p>1     <b>in those charges was that Deputy Chief 2     Castellan had changed an odometer reading 3     on the car that he sold.</b></p> <p>4     <b>Do you recall that?</b></p> <p>5     A. I recall something about that.</p> <p>6     <b>Q. What firsthand knowledge do you 7     have about Deputy Chief Castellan doing 8     anything with an odometer of a vehicle 9     that he sold?</b></p> <p>10    A. I believe -- and I'm not clear 11    exactly how the chain of events worked, 12    but -- and I would -- if I had that document 13    in front of me, I could read what I wrote, 14    but I don't have that in front of me, I 15    believe he had the -- he being Deputy Chief 16    Castellan had sold the car or the Jeep in 17    question to Robert Anzaldi who used to work 18    in the evidence room at the station and now 19    I believe is working again for the village 20    under Castellan and then it was sold to 21    Lieutenant Nowicki at the time and I believe 22    the problem occurred when Lieutenant Nowicki 23    attempted to sell the car and whoever he 24    sold it or tried to sell it to looked up the</p>	<p>223</p> <p>1     <b>Q. Have you ever heard Deputy 2     Chief Castellan make any statements 3     regarding that odometer incident?</b></p> <p>4     A. I know I heard them talk about 5     the Jeep. I don't recall anything about 6     the odometer.</p> <p>7     <b>Q. Anything else?</b></p> <p>8     A. No.</p> <p>9     <b>Q. You also made allegations against 10    Deputy Chief Castellan regarding some 11    ammunition issues.</b></p> <p>12    <b>Do you recall that?</b></p> <p>13    A. Oh, I do.</p> <p>14    <b>Q. What personal knowledge do you 15    have regarding the ammunition issues?</b></p> <p>16    A. The on-duty CSO at the time told 17    me exactly when Castellan and his nephew, 18    Robert Anzaldi, Jr., took the ammunition 19    out of the CSO office on July 4th when 20    they knew nobody else would be there besides 21    the CSO and they told the CSO you didn't 22    see nothing and then they had the CSO prior 23    to that put a note on there do not touch 24    ammunition per Deputy Chief Castellan.</p>

John Scatchell, Jr.

August 5, 2020

<p style="text-align: right;">226</p> <p>1     <b>Q. Who was that CSO?</b>      2     A. I don't recall at this time.      3     <b>Q. Any other firsthand knowledge about</b>      4     <b>that incident?</b>      5     A. Just that it's never, never been      6     addressed. Nobody has ever said where this      7     ammunition went. All the range guys said      8     it was missing. It never -- it never showed      9     up and then all of a sudden ammunition showed      10    up one day out of nowhere and everybody found      11    that to be quite odd and then they changed      12    the keys. There was all kind of things that      13    went on with the range.      14    <b>Q. And how do you know it was never</b>      15    <b>addressed?</b>      16    A. Well, if it was, there was obviously      17    no transparency which is the exact issue as      18    to why we're here, disparate treatment, zero      19    transparency. You do something wrong, you      20    should expect to be disciplined.      21    <b>Q. So you believe --</b>      22    A. Certain people don't get disciplined.      23    <b>Q. Okay. So you believe any time any</b>      24    <b>officer is disciplined no matter what that</b></p>	<p style="text-align: right;">228</p> <p>1                     (Document marked as Scatchell      2                     Junior Exhibit No. 43 for      3                     identification, 08/05/2020.)      4     BY MR. FOWLER:      5         <b>Q. Take a look at Exhibit No. 43,</b>      6         <b>please.</b>      7                     (Document tendered      8                     to the witness.)      9     BY THE WITNESS:      10    A. (Witness complied.)      11    BY MR. FOWLER:      12    <b>Q. Did you receive this on or about</b>      13    <b>December 8th, 2017?</b>      14    MR. COOPER: Hold on one      15    second. I would take the Fifth.      16    BY THE WITNESS:      17    A. Fifth Amendment.      18                     (Document marked as Scatchell      19                     Junior Exhibit No. 44 for      20                     identification, 08/05/2020.)      21    BY MR. FOWLER:      22    <b>Q. Take a look at Exhibit 44, please.</b>      23                     (Document tendered      24                     to the witness.)</p>
<p style="text-align: right;">227</p> <p>1     <b>that should be communicated to everybody in</b>      2     <b>the department?</b>      3     A. Any time that somebody is made      4     an example of, they purposely put that      5     information out there, be it, the to/from      6     will be left on desks in roll call or      7     whatever. It's all mind games, so, yes,      8     I believe that information would have      9     been outing.      10    <b>Q. That wasn't what I asked you.</b>      11    A. Okay. Repeat what you asked me.      12    <b>Q. What I asked is should it be?</b>      13    A. Should it be? I think so, yes,      14    absolutely. I think that other officers      15    should know if I screw up in this regard,      16    I have this to look at. Not, oh, this      17    guy did this, but then I do the same thing      18    perhaps and I'll get 15 days, he gets nothing      19    or I'll get fired and he gets nothing, I'll      20    get suspended and he gets nothing or vice      21    versa. It just depends who you're friends      22    with.      23      24</p>	<p style="text-align: right;">229</p> <p>1     BY THE WITNESS:      2     A. (Witness complied.)      3     BY MR. FOWLER:      4         <b>Q. Did you receive Exhibit 44 on</b>      5         <b>or about December 21st or 22nd of 2017?</b>      6     A. Fifth Amendment.      7     MR. FOWLER: Let's take five      8     minutes.      9                     (Whereupon, after a short      10    break was had, the following      11    proceedings were held      12    accordingly.)      13    BY MR. FOWLER:      14    <b>Q. Mr. Scatchell, is there anything</b>      15    <b>that you can think of that's relevant to</b>      16    <b>your father's lawsuit that we haven't talked</b>      17    <b>about today?</b>      18    A. That I could add at this particular      19    time, not that I can recall.      20    <b>Q. And that goes right to my next</b>      21    <b>question. Is there anything that you'd</b>      22    <b>like to add to what we talked about today</b>      23    <b>that you feel like you didn't have an</b>      24    <b>opportunity?</b></p>

John Scatchell, Jr.

August 5, 2020

<p>1           MR. CASPER: Objection to 2       the extent it calls for a narrative. 3 BY MR. FOWLER: 4       <b>Q. You can answer.</b> 5       A. At this time nothing that comes 6 to mind. 7       <b>Q. There were a few times where I</b> 8 <b>asked you a question and you said you didn't</b> 9 <b>understand or you asked me to rephrase,</b> 10 <b>right?</b> 11       <b>Do you recall that?</b> 12       A. Yes. 13       <b>Q. In all of the other times when</b> 14 <b>you answered it, it was -- you understood</b> 15 <b>the questions and you were doing your best</b> 16 <b>to answer them?</b> 17       A. I believe I was, yes. 18       <b>Q. And have I been courteous and</b> 19 <b>professional to you throughout this</b> 20 <b>deposition?</b> 21       A. You have. 22       MR. FOWLER: In that case, as 23       they say in Texas, since somebody 24       talked about Texas, pass the witness.</p>	<p>230</p> <p>1       <b>things I do want to follow-up on. Number</b> 2 <b>one, you mentioned early on in your</b> 3 <b>testimony that there was something -- and</b> 4 <b>I didn't quite understand how this came</b> 5 <b>up, so forgive me.</b> 6       A. Okay. 7       <b>Q. There was something called the</b> 8 <b>Scatchell tax, your words.</b> 9       A. Yes. 10       <b>Q. Did you say those words?</b> 11       A. I did. 12       <b>Q. What does that refer to as you were</b> 13 <b>using it here today?</b> 14       A. That refers to and arguably I was 15       the founding member of the Scatchell tax 16       because they came after me because of my 17       father, but that's what it's referred to 18       at the station. 19       When they either look 20       over, treat poorly or do something to 21       anybody that was either close to me or my 22       father, it's referred to as the Scatchell 23       tax. 24       <b>Q. Who have -- who have you heard</b></p>
<p>1           MR. BERSANI: I have no 2       questions. 3       MR. WOERNER: I have nothing 4       either. 5       MR. CASPER: I didn't know you 6       were done, Jeff. 7       Let me just talk to my 8       co-counsel for a second. 9       MR. FOWLER: Okay. 10       (Whereupon, after a short 11       break was had, the following 12       proceedings were held 13       accordingly.) 14       C R O S S - E X A M I N A T I O N 15       by Mr. Casper 16       <b>Q. Good afternoon, Mr. Scatchell.</b> 17       I know it's been a long 18       day. I don't want to keep you much longer 19       than you need to be. 20       You took the Fifth on 21       some issues that I was planning on asking 22       you about. So I'm not going to go into 23       those topics. 24       There are a couple of</p>	<p>231</p> <p>1       <b>use that phrase Scatchell tax around Melrose</b> 2 <b>Park police station --</b> 3       A. My entire -- 4       <b>Q. -- let me finish --</b> 5       A. I'm sorry. 6       <b>Q. -- when you were working there?</b> 7       A. My entire shift at the time in 2018 8       used it. It was actually -- everybody kind 9       of would even bust balls about it, they'd 10       say, hey, the Scatchell tax, you guys are 11       paying the Scatchell tax, right? Yeah, me 12       too. 13       <b>Q. Did you ever hear Deputy Chief</b> 14 <b>Michael Castellan use the phrase Scatchell</b> 15 <b>tax?</b> 16       A. Not personally, no. 17       <b>Q. Did you ever hear Mr. Rogowski</b> 18 <b>use that phrase?</b> 19       A. No, I did not. 20       <b>Q. Did you ever hear Mr. Pitassi</b> 21 <b>use that phrase?</b> 22       A. Not that I can recall. 23       <b>Q. How many different dates would</b> 24 <b>you say, if you could estimate, did you</b></p>

John Scatchell, Jr.

August 5, 2020

<p>1   <b>hear other officers using the phrase</b>      2   <b>Scatchell tax around the police station?</b>      3    A. I would probably say the entire      4    last year I worked on the street.      5    <b>Q. And what year would that have</b>      6   <b>been?</b>      7    A. 2018.      8    <b>Q. Is that a term -- who came up</b>      9   <b>with that term, if you know?</b>      10   A. The guys in -- just random guys      11   in the station. I don't know who came up      12   with it.      13   <b>Q. Did you come up with it?</b>      14   A. No.      15   <b>Q. And was it being used in a joking</b>      16   <b>fashion or some other fashion, you tell me?</b>      17   A. Both. People that really weren't      18   in our party would use it in a joking fashion      19   like, hey, did you pay the Scatchell tax?      20   Yeah, I didn't get promoted. How about      21   you? Nope, not me either. But those were      22   guys that never were involved in any of      23   this. More so, it's meant to talk about      24   friends of mine, close friends of mine</p>	<p>234</p> <p>1   <b>as you're describing it, that refers to the</b>      2   <b>administration treating officers badly as</b>      3   <b>a result of their positions being aligned</b>      4   <b>with the Scatchells, is that kind of the</b>      5   <b>gist of it?</b>      6    A. Right. If you're friends with the      7    Scatchells --      8        MR. BERSANI: Hang on.      9        Objection --      10      BY THE WITNESS:      11        A. If you're friends with --      12        MR. BERSANI: Hang on.      13        THE WITNESS: I didn't know      14        if you were done or not.      15        THE COURT REPORTER: Can      16        you repeat that for me, please,      17        Mike?      18        MR. BERSANI: I'm going to      19        object to the lack of foundation      20        of the question.      21      BY MR. CASPER:      22        <b>Q. You can answer.</b>      23        A. Could you repeat it one more      24        time?</p>
<p>235</p> <p>1   that have been clearly overlooked for      2   promotions that they deserve or people      3   who were loyal to my father or voted a      4   certain way against Kyll or a certain way      5   for the election, they were treated poorly.      6   Either they were -- I mean --      7   <b>Q. Does that mean Scatchell tax</b>      8   <b>that those individuals were being treated</b>      9   <b>poorly by Mr. Scatchell and yourself?</b>      10   A. No.      11   <b>Q. Is that -- well --</b>      12   A. It means that --      13   <b>Q. Let me finish the question.</b>      14   <b>Who does it refer to as</b>      15   <b>treating them poorly?</b>      16   A. The administration/the village.      17    MR. BERSANI: Hold on.      18    Objection to the vagueness of      19    the question.      20   BY MR. CASPER:      21   <b>Q. You can answer if you understand.</b>      22   A. The administration/village.      23   <b>Q. All right. So the Scatchell</b>      24   <b>tax as it's being thrown around by officers,</b></p>	<p>237</p> <p>1        MR. CASPER: Could you read      2        the question back, please?      3        (Whereupon, the requested      4        portion of the record was      5        read accordingly.)      6   BY MR. CASPER:      7        <b>Q. Let me rephrase that question. It</b>      8       <b>was awkwardly worded.</b>      9        So is the phrase Scatchell      10      tax, is that referring to officers complaining      11      about being treated badly by the administration      12      as a result of being perceived as aligned with      13      the Scatchells?      14      A. Yes.      15      MR. BERSANI: Same objection.      16   BY MR. CASPER:      17        <b>Q. In your own words, can you describe</b>      18       <b>what the Scatchell tax is?</b>      19      A. It's basically you showed support      20      or friendship for the Scatchells, you're not      21      going to get anything. You put your feet      22      up in the air, we're going to fire you      23      just like them.      24      <b>Q. And who is going to be engaging</b></p>

John Scatchell, Jr.

August 5, 2020

John Scatchell, Jr.

August 5, 2020

<p>242</p> <p>1 BY THE WITNESS:</p> <p>2 A. I would have to guess it was 3 afternoon shift when I was coming into 4 work.</p> <p>5 BY MR. CASPER:</p> <p>6 Q. What range of hours would that 7 have been where you would have been coming 8 to work?</p> <p>9 A. 4:00 to midnight.</p> <p>10 Q. And this was close to the beginning 11 of the shift when you heard this?</p> <p>12 A. This was in my roll call. So he 13 was getting done with his shift as we were 14 starting ours.</p> <p>15 Q. And how far away from Mr. Jarecki 16 were you when you heard him begin this 17 conversation?</p> <p>18 A. Inches. Inches.</p> <p>19 Q. And who else was present at the 20 time in the immediate vicinity?</p> <p>21 A. Whoever was in the supervisor's 22 office and whoever was in roll call because 23 where I used to sit in roll call a lot of 24 times was the very first chair outside the</p>	<p>244</p> <p>1 dad. 2 He was upset at what they 3 did to him because of his right to vote. 4 I mean, just like we're told in roll call 5 to go early vote because the mayor likes 6 it.</p> <p>7 Q. Did you hear any responses to 8 that statement by Mr. Jarecki?</p> <p>9 A. Once -- I mean, because like I 10 said when he made the statement, he was 11 walking into the office, he was mere 12 inches from me. Once he gets in the 13 office, then the sound becomes a little 14 more distorted especially as your supervisors 15 are discussing whatever's going on for 16 that day.</p> <p>17 Q. So your answer is, no, you didn't 18 hear any other statement made in response 19 to Mr. Jarecki's?</p> <p>20 A. That I can recall at this time, 21 no.</p> <p>22 Q. Did you say anything in response 23 to that?</p> <p>24 A. No.</p>
<p>243</p> <p>1 supervisor's office.</p> <p>2 Q. Now, that supervisor's office is 3 it appended directly to the roll call room?</p> <p>4 A. Yes.</p> <p>5 Q. And was there, in fact, a supervisor 6 in that office at that time?</p> <p>7 A. Several.</p> <p>8 Q. Do you know by what rank those 9 individuals in there were at that time?</p> <p>10 A. Sergeants and lieutenants. I don't 11 remember specifics as to who was in the room.</p> <p>12 Q. But you're certain there were 13 sergeants and lieutenants in that room at 14 that time?</p> <p>15 A. He was complaining to his lieutenant.</p> <p>16 Q. Brian Jarecki was complaining to 17 the lieutenant.</p> <p>18 And what did you hear Brian 19 Jarecki say at that time?</p> <p>20 A. I heard him say I'm going to be 21 paying the Scatchell tax for life because 22 I voted for John in the presidency. I mean, 23 he wasn't -- it wasn't saying it like he 24 was upset, he was upset that he voted for</p>	<p>245</p> <p>1 Q. Were there any other officers 2 in the roll call room at that time?</p> <p>3 A. Everybody was working a shift 4 that night.</p> <p>5 Q. And did you hear any other 6 officers in the roll call room make any 7 statements in response to what Mr. Jarecki 8 said?</p> <p>9 A. I remember guys just kind of 10 snickering or -- yeah, the Scatchell tax 11 or wolf pack or stuff like that.</p> <p>12 Q. Wolf pack?</p> <p>13 A. Uh-huh.</p> <p>14 Q. What's that?</p> <p>15 A. That was what the administration 16 referred to my dad and his friends as, the 17 wolf pack.</p> <p>18 Q. Who from the administration 19 referred to your dad and his friends as 20 the wolf pack?</p> <p>21 A. I believe Castellan and Pitassi 22 both.</p> <p>23 Q. Did you ever personally hear them 24 use that phrase?</p>

John Scatchell, Jr.

August 5, 2020

<p>1     A. Yes.</p> <p>2     Q. <b>What does that mean, the wolf</b>  <b>3 pack, as far as you understand it?</b></p> <p>4     A. I couldn't even really put a  5 guess. I just assumed that they wanted  6 to put some type of moniker into their --  7 what they perceived to be there enemies.</p> <p>8     Q. <b>All right. All right. How many times did you hear the</b>  9 <b>phrase wolf pack used by Mr. Castellan</b>  10 <b>in reference to your dad, you personally?</b></p> <p>11    A. I know I heard him say MAC pack  12 versus wolf pack several times.</p> <p>13    Q. <b>MAC pack?</b></p> <p>14    A. Uh-huh. That was his crew.</p> <p>15    Q. <b>What's that?</b></p> <p>16    A. That was his crew. Anybody --</p> <p>17    Q. <b>Whose crew?</b></p> <p>18    A. Deputy Chief Castellan. Anybody  19 that was in his crew -- to be clear his  20 initials are Michael A. Castellan. MAC  21 pack stands for M-A-C pack.</p> <p>22    Q. <b>All right. Going back to the</b>  23 <b>original question, how many times did you</b></p>	<p>246</p> <p>1     you have to understand one thing, guys,  2 especially policemen, love to talk.</p> <p>3     Q. <b>Okay. I just want to get the</b>  4 <b>facts here. Okay.</b></p> <p>5     A. Go ahead.</p> <p>6     Q. <b>So just answer my question.</b></p> <p>7     A. Uh-huh.</p> <p>8     Q. <b>What time period did you start</b>  9 <b>hearing the Scatchell tax phrase being</b>  10 <b>used?</b></p> <p>11    A. I would say right around the time  12 period of why my dad showed his support for  13 Kyll.</p> <p>14    Q. <b>Okay. Can you put a month and</b>  15 <b>year on that when you started to hear this?</b></p> <p>16    A. I would say in the 2017 timeframe.</p> <p>17    Q. <b>And how long after that did you</b>  18 <b>continue to hear the phrase Scatchell tax</b>  19 <b>being used around the department?</b></p> <p>20    MR. BERSANI: Object to the  21 lack of foundation.</p> <p>22 BY MR. CASPER:</p> <p>23    Q. <b>How long after that?</b></p> <p>24    A. Until the last day I worked the</p>
<p>247</p> <p>1     <b>hear Mr. Castellan refer to your father</b>  2 <b>and his friends as the wolf pack?</b></p> <p>3     A. Several.</p> <p>4     Q. <b>Can you give me any specifics</b>  5 <b>about any of those times that you heard</b>  6 <b>that?</b></p> <p>7     A. I remember, yeah, wolf pack  8 versus MAC pack, we're ready whenever  9 they're ready and just the rah-rah nonsense  10 from his office.</p> <p>11    Q. <b>Okay. Did you actually hear</b>  12 <b>Mr. Castellan make statements along the</b>  13 <b>lines of what you just said?</b></p> <p>14    A. For roll call, yeah.</p> <p>15    Q. <b>How many times did you hear</b>  16 <b>Mr. Castellan make those kinds of</b>  17 <b>statements that you just articulated?</b></p> <p>18    A. Several.</p> <p>19    Q. <b>Over what time period?</b></p> <p>20    A. That same exact time period that  21 I just described, right around when the  22 Scatchell tax discussion was going around  23 that was -- all these different monikers  24 and nicknames were going around because</p>	<p>249</p> <p>1     street.</p> <p>2     Q. <b>And that was when?</b></p> <p>3     A. They pulled me off the street  4 sometime in November.</p> <p>5     Q. <b>Now, this wolf pack thing, can</b>  6 <b>you put a month and year when you first</b>  7 <b>started hearing that phrase being used</b>  8 <b>around the police station?</b></p> <p>9     A. Probably shortly after I got  10 hired.</p> <p>11    Q. <b>When would that have been?</b></p> <p>12    A. I would say that I first heard  13 it in the year 2013.</p> <p>14    Q. <b>And MAC pack, can you put a</b>  15 <b>month and year when you first heard that?</b></p> <p>16    A. Same timeframe.</p> <p>17    Q. <b>All right. Now, wolf pack, was</b>  18 <b>that ever used, as you took it, in a</b>  19 <b>derogatory fashion towards your father?</b></p> <p>20    A. Absolutely.</p> <p>21    Q. <b>Okay. In your own words, I</b>  22 <b>mean, I don't quite get this, how is wolf</b>  23 <b>pack derogatory? Can you explain that</b>  24 <b>to me?</b></p>

John Scatchell, Jr.

August 5, 2020

	250		252	
<p>1 A. Because he was --</p> <p>2 MR. BERSANI: Hang on.</p> <p>3 THE WITNESS: Go ahead. I'm</p> <p>4 sorry. Go ahead. Go ahead.</p> <p>5 MR. BERSANI: I want to speak</p> <p>6 before you answer.</p> <p>7 Object to lack of</p> <p>8 foundation.</p> <p>9 BY MR. CASPER:</p> <p>10 Q. You can answer.</p> <p>11 THE WITNESS: Can you repeat</p> <p>12 the question one more time? I'm</p> <p>13 sorry.</p> <p>14 (Whereupon, the requested</p> <p>15 portion of the record was</p> <p>16 read accordingly.)</p> <p>17 BY THE WITNESS:</p> <p>18 A. Yeah, it's derogatory because he's</p> <p>19 pigeonholing anybody that he perceives to be</p> <p>20 a friend of my father into this group which</p> <p>21 he now has shown that he perceives them</p> <p>22 to be the enemies, the MAC pack versus</p> <p>23 the wolf pack.</p> <p>24 What is that supposed to</p>		<p>1 a conversation with my dad, he would mock</p> <p>2 him like, ah, the wolf pack wants this,</p> <p>3 the wolf wants that, the wolf pack wants</p> <p>4 this.</p> <p>5 Q. That would be Mr. Pitassi?</p> <p>6 A. That would be Mr. Pitassi.</p> <p>7 Q. And were you ever present to hear</p> <p>8 that personally?</p> <p>9 A. Yes.</p> <p>10 Q. How many times?</p> <p>11 A. Any time I was inside the station,</p> <p>12 you could pretty much guarantee you're going</p> <p>13 to get some kind of gold nugget from Sam's</p> <p>14 mouth. He -- he literally screams at the</p> <p>15 top of his lungs from his office or rants</p> <p>16 and raves and walks down the hallway past</p> <p>17 the CSO office, past the mail room, past</p> <p>18 the traffic office, so there's lots of</p> <p>19 people that hear stuff he says.</p> <p>20 Q. And as long as we're on the</p> <p>21 subject, you stated early on in your</p> <p>22 examination by Mr. Fowler that you heard</p> <p>23 Mr. Pitassi use the N word.</p> <p>24 Did I hear you say that?</p>		
<p>1 mean? Are we having a backyard fight?</p> <p>2 BY MR. CASPER:</p> <p>3 Q. And who is the he you're referring</p> <p>4 to?</p> <p>5 A. Deputy Chief Castellan.</p> <p>6 Q. Did you ever hear of Mr. Pitassi</p> <p>7 refer to your father as wolf man or wolf</p> <p>8 pack?</p> <p>9 MR. BERSANI: Object, wolf</p> <p>10 man was never used.</p> <p>11 Mischaracterizes his</p> <p>12 testimony.</p> <p>13 BY MR. CASPER:</p> <p>14 Q. Okay. Well --</p> <p>15 A. Yeah, I've heard him say wolf</p> <p>16 pack and stuff like that.</p> <p>17 Q. And can you recall any specific --</p> <p>18 MR. BERSANI: Object to</p> <p>19 vagueness.</p> <p>20 BY MR. CASPER:</p> <p>21 Q. Now, can you recall any specific</p> <p>22 incidents where you heard Mr. Pitassi refer</p> <p>23 to your father as wolf pack?</p> <p>24 A. In the sense of any time he had</p>	251		<p>1 A. I personally have heard him say</p> <p>2 a lot of swears. The N word, I was told</p> <p>3 that he said that from my father in a meeting</p> <p>4 with him about Kyll.</p> <p>5 Q. Okay. Have you ever personally</p> <p>6 heard Mr. Pitassi use the N word?</p> <p>7 A. When I was at his house as a child,</p> <p>8 all the time.</p> <p>9 Q. Okay. How many times did you</p> <p>10 hear Mr. Pitassi use the N word in that</p> <p>11 capacity?</p> <p>12 A. Almost every other word at times.</p> <p>13 Q. All right. How long has it been</p> <p>14 since you heard Mr. Pitassi use the N word?</p> <p>15 MR. BERSANI: Object to</p> <p>16 the form, lack of foundation,</p> <p>17 vague.</p> <p>18 BY THE WITNESS:</p> <p>19 A. I stopped hanging around with his</p> <p>20 kid around 8th grade, so I would say that</p> <p>21 the last time I physically was present to</p> <p>22 hear him say the N word would have been</p> <p>23 around that time, so I don't know, I was</p> <p>24 14 maybe.</p>	253

John Scatchell, Jr.

August 5, 2020

<p>254</p> <p>1 BY MR. CASPER:</p> <p>2 Q. All right. And I just want to 3 get this clear, when did you hear that 4 Mr. Pitassi used the N word in reference 5 to Kyll?</p> <p>6 A. As soon as my dad left his office.</p> <p>7 Q. Month and year?</p> <p>8 MR. BERSANI: Wait, wait.</p> <p>9 Can we get some foundation for 10 this?</p> <p>11 MR. CASPER: I'm doing that.</p> <p>12 BY MR. CASPER:</p> <p>13 Q. Month and year, please?</p> <p>14 A. Shortly after he filed his grievance 15 so that would have been like late 2016.</p> <p>16 Q. Who filed what grievance?</p> <p>17 A. Kyll filed his grievance.</p> <p>18 Q. Okay. So where are you when you 19 hear this from Mr. Scatchell?</p> <p>20 A. From my father?</p> <p>21 Q. Yes.</p> <p>22 A. In the house that we shared together.</p> <p>23 Q. All right. And do you recall -- 24 I know Mr. Fowler asked you some of this.</p>	<p>256</p> <p>1 issue?</p> <p>2 A. It occurred after.</p> <p>3 Q. How did this conversation between 4 you and your father come up?</p> <p>5 A. Just that do you believe what this 6 guy is trying to pull.</p> <p>7 MR. BERSANI: Let me object 8 to the lack of foundation as to 9 that question, the previous one 10 you just asked. Go ahead.</p> <p>11 BY MR. CASPER:</p> <p>12 Q. How does this conversation 13 between you and your father where your 14 father says Pitassi used the N word, 15 how does this conversation start?</p> <p>16 A. He goes he is trying to fire 17 Kyll when Kyll has every right to not 18 live in town according to that decree.</p> <p>19 Q. Now, that statement, is that 20 something your father said or something --</p> <p>21 A. That's something that I'm 22 paraphrasing because I don't really 23 remember much of the particulars of the 24 conversation.</p>
<p>255</p> <p>1 What did you say to your father and what 2 did he say to you in this conversation about 3 the N word?</p> <p>4 A. Again, it was a long time ago. 5 I just remember what he told me that Pitassi 6 referred to Kyll as a nigger and a bunch of 7 other whatever the hell he said, but that 8 was what stuck out to me the most. I 9 mean --</p> <p>10 Q. Do you remember?</p> <p>11 A. -- he's the same person he was 12 when I grew up with his son --</p> <p>13 Q. Do you remember anything --</p> <p>14 A. -- didn't change.</p> <p>15 Q. Go ahead. I'm sorry. 16 In this conversation between 17 you and your father, this occurs in your house, 18 do you remember any other words that your 19 father used or that you used to your father 20 in this conversation?</p> <p>21 A. Not at this time I don't recall.</p> <p>22 Q. And did this conversation occur 23 before or after you learned that Kyll 24 Lavalais filed a grievance over the residency</p>	<p>257</p> <p>1 I remember the crux of 2 it was Sam called Kyll a nigger and that's -- 3 I don't know how you remain in police and 4 law enforcement and use that kind of 5 language.</p> <p>6 Q. Okay. And did you ever hear 7 around the station Mr. Lavalais being 8 referred to as the N word by any other 9 officers?</p> <p>10 A. Not that I can recall at this 11 time.</p> <p>12 Q. And when you were working at the 13 police station, how many of your fellow 14 officers were African-American, if you know?</p> <p>15 A. Strike my last answer. I'd like 16 to reanswer.</p> <p>17 Q. Okay.</p> <p>18 A. Dino Dimaio.</p> <p>19 Q. What did Dino Dimaio with respect 20 to --</p> <p>21 A. Uses the N word constantly.</p> <p>22 Q. How frequently have you heard 23 Mr. Dimaio --</p> <p>24 A. Any time he encounters a black</p>

John Scatchell, Jr.

August 5, 2020

<p>1 subject on a call which are calls he      2 shouldn't be on because he's a station      3 supervisor for the last four years by      4 the by.</p> <p>5 <b>Q. My question is how often have      6 you heard Mr. Dimaio use the N word in      7 reference to African-Americans?</b></p> <p>8 A. Very often.</p> <p>9 <b>Q. Did that include --</b></p> <p>10 A. It wasn't -- it wasn't restricted      11 to just the N word either.</p> <p>12 <b>Q. Is that -- did you ever hear      13 Mr. Dimaio us the N word in reference to      14 Kyll Lavalais?</b></p> <p>15 A. Yes.</p> <p>16 <b>Q. How many times?</b></p> <p>17 A. At least once.</p> <p>18 <b>Q. And was that in your presence?</b></p> <p>19 A. No. I was told what he said.</p> <p>20 <b>Q. By whom?</b></p> <p>21 A. People who were sitting with him      22 and Lieutenant Maiello.</p> <p>23 <b>Q. Okay. Lieutenant Nunzio Maiello?</b></p> <p>24 A. It is.</p>	<p>258</p> <p>1 A. There's not many female officers.      2 <b>Q. And where were you when this officer      3 relays to you this conversation?</b>      4 A. It probably would have been at      5 Bakers Square or something like that where      6 we would have -- a lot of time at night on      7 the 4:00 to 12:00 shift, we would all get      8 together, we would mark down, we would have      9 a cup of coffee or something to keep us at      10 our peak performance through the twilight      11 hours of the evening.</p> <p>12 <b>Q. And how many officers present for      13 this conversation?</b>      14 A. It could have been any more --      15 or it could have been up to six to ten      16 officers.</p> <p>17 <b>Q. And do you remember a month and      18 year where this conversation occurs?</b>      19 A. I'd have to say it was shortly      20 right after the arbitration hearing. So      21 probably right around the time I went to      22 Dino's shift and that's when I heard it.      23 So it would be early '17.</p> <p>24 <b>Q. Early '17, is that?</b></p>
<p>259</p> <p>1 <b>Q. All right. What did you hear      2 about Mr. Dimaio saying with respect to      3 Kyll?</b>      4 A. Just after -- it was shortly after      5 that meeting where him and Kyll had words      6 over Kyll's arbitration and just talk of if      7 anybody on our shift supports that nigger,      8 they're going to have to really fucking pay      9 for it --</p> <p>10 <b>Q. Okay.</b>      11 A. -- and that was what I was told.</p> <p>12 <b>Q. Someone told you that there was a      13 conversation where that was stated?</b>      14 A. Yes.</p> <p>15 <b>Q. Who told you that?</b>      16 A. Somebody from my shift. I don't      17 recall.</p> <p>18 <b>Q. Who?</b>      19 A. I don't recall at this time.</p> <p>20 <b>Q. Was it an officer?</b>      21 A. Definitely.</p> <p>22 <b>Q. Okay. A young officer, old officer?</b>      23 A. I don't recall at this time.</p> <p>24 <b>Q. Male or female?</b></p>	<p>261</p> <p>1 A. 2017.</p> <p>2 <b>Q. Is that before or after Kyll's      3 arbitration hearing?</b>      4 A. I believe that's after.</p> <p>5 <b>Q. All right. Well, you testified      6 a minute ago about there was some meeting      7 where Dimaio and Lavalais had words?</b>      8 A. That was at the arbitration      9 hearing --</p> <p>10 <b>Q. Okay.</b>      11 A. -- or when we were discussing a      12 vote to arbitrate for Kyll.</p> <p>13 <b>Q. Okay. So was your meeting with      14 this individual where you heard about --      15 you heard about Dimaio using the N word,      16 was that before or after the FOP meeting      17 discussing voting on Kyll's arbitration?</b>      18 A. After. I believe the timeline      19 of events was we had a meeting about      20 arbitrating and then another meeting to      21 vote it. I'm not positive on that.</p> <p>22 <b>Q. So my question is where you      23 hear this -- it said that Dimaio called      24 Lavalais -- refer to Lavalais as the</b></p>

John Scatchell, Jr.

August 5, 2020

<p>1 N word --</p> <p>2 A. Uh-huh.</p> <p>3 Q. -- does that happen before the</p> <p>4 first meeting where the -- Kyll's arbitration</p> <p>5 is discussed or after that meeting?</p> <p>6 A. I believe --</p> <p>7 MR. BERSANI: Object to lack</p> <p>8 of foundation.</p> <p>9 BY THE WITNESS:</p> <p>10 A. I believe it directly followed</p> <p>11 when him and Kyll argued with each other</p> <p>12 at that meeting.</p> <p>13 BY MR. CASPER:</p> <p>14 Q. What meeting did they argue with</p> <p>15 each other?</p> <p>16 A. It was either the arbitration</p> <p>17 meeting or the meeting before that. I'm</p> <p>18 not sure. Both -- the crux is both meetings</p> <p>19 were about Kyll arbitrating.</p> <p>20 Q. All right. Do you understand</p> <p>21 there is a difference between an arbitration</p> <p>22 hearing and a union meeting?</p> <p>23 A. Absolutely.</p> <p>24 Q. Okay. Is this a union meeting you</p>	<p>262</p> <p>1 A. Yes.</p> <p>2 Q. All right. And is that person a</p> <p>3 lieutenant or some other officer here at the</p> <p>4 department?</p> <p>5 A. He was lieutenant.</p> <p>6 Q. Is he still here?</p> <p>7 A. I believe so.</p> <p>8 Q. All right. Now, did you ever</p> <p>9 hear an allegation that Mr. Maiello was</p> <p>10 accused of hunting while on sick leave?</p> <p>11 A. I may have. I don't recall</p> <p>12 that at this time.</p> <p>13 Q. At any point in time, did anyone</p> <p>14 at the department ever approach you and</p> <p>15 state something to the effect that if your</p> <p>16 dad, John Scatchell, Sr. retires, it will</p> <p>17 save your job?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. So who -- I'm going to lay</p> <p>20 some foundation now.</p> <p>21 Where does this conversation</p> <p>22 occur?</p> <p>23 A. A lot of conversation at the</p> <p>24 department occurs in the back lot behind</p>
<p>263</p> <p>1 were referring to?</p> <p>2 A. Yes, this is an FOP union meeting.</p> <p>3 Q. All right. And you're not referring</p> <p>4 to the arbitration hearing when you're talking</p> <p>5 about --</p> <p>6 A. No.</p> <p>7 Q. -- when you heard about Dimaio</p> <p>8 refer -- okay.</p> <p>9 What do you hear about</p> <p>10 Dimaio saying about Lavalais?</p> <p>11 A. I was told that if anybody shows</p> <p>12 support for this nigger that they're really</p> <p>13 going to pay for it and that's his exact</p> <p>14 words to whoever told me and it went around</p> <p>15 through our shift.</p> <p>16 Q. All right. Other than that, have</p> <p>17 you ever heard anyone else refer -- heard</p> <p>18 or heard of anyone else referring to Kyll</p> <p>19 Lavalais with a racially derogatory term?</p> <p>20 A. Other than Dino Dimaio, not</p> <p>21 that I can recall off the top of my head</p> <p>22 right now.</p> <p>23 Q. Now, you mentioned Nunzio Maiello</p> <p>24 a moment ago?</p>	<p>265</p> <p>1 the back door.</p> <p>2 Q. I don't care --</p> <p>3 A. I would say that that conversation</p> <p>4 there took place at the back lot.</p> <p>5 Q. All right. And who is present</p> <p>6 for this conversation?</p> <p>7 A. I believe I originally heard it</p> <p>8 I want to say Chane and Vaughn.</p> <p>9 Q. All right. That's Officer Chane?</p> <p>10 A. Fogg.</p> <p>11 Q. I'm sorry?</p> <p>12 A. Chane Fogg.</p> <p>13 Q. Can you spell that?</p> <p>14 A. C-H-A-N-E, F-O-G-G.</p> <p>15 Q. Is that an officer?</p> <p>16 A. Yes.</p> <p>17 Q. And who is the other party's</p> <p>18 participant?</p> <p>19 A. Vaughn, V-A-U-G-H-N.</p> <p>20 Q. Is that an officer?</p> <p>21 A. Yes.</p> <p>22 Q. Was anybody else present for this</p> <p>23 conversation?</p> <p>24 A. Whoever else was working the shift</p>

John Scatchell, Jr.

August 5, 2020

<p>1 that night.</p> <p>2     <b>Q. All right. And are you physically</b>    3 <b>present to hear this conversation?</b></p> <p>4     A. Yes.</p> <p>5     <b>Q. Where are you standing when you</b>    6 <b>hear this conversation?</b></p> <p>7     A. Next to them.</p> <p>8     <b>Q. And so it's you --</b></p> <p>9     A. It's in a circle.</p> <p>10    <b>Q. Okay. So you guys are in a circle.</b></p> <p>11   <b>Where is the circle?</b></p> <p>12   A. Back door of the station waiting    13 to leave.</p> <p>14   <b>Q. What time of day was this?</b></p> <p>15   A. This would have been whatever    16 time we were getting off shift.</p> <p>17   <b>Q. And what date was this?</b></p> <p>18   A. It was sometime after the point    19 where I was served with a statement of    20 charges, so sometime in 2018 because I    21 didn't -- I didn't go back to work until    22 the middle of January I believe of 2018.</p> <p>23   <b>Q. Can you give me a month on this</b>    24 <b>in 2018?</b></p>	<p>266</p> <p>1 day?</p> <p>2     <b>Q. That day.</b></p> <p>3     A. People nodded in agreement that    4 that's what they had heard but nobody else    5 vocalized it.</p> <p>6     <b>Q. Subsequent to that conversation,</b>    7 <b>did you ever hear words to this effect</b>    8 <b>stated again?</b></p> <p>9     A. Many people have come to me and    10 said that.</p> <p>11   <b>Q. Such as who?</b></p> <p>12   A. People that don't even work in    13 this town have come to me and said that,    14 you know, Johnny, maybe your father --</p> <p>15   <b>Q. Like who?</b></p> <p>16   A. Again, so many people have said    17 it because that was perceived to be the    18 truth.</p> <p>19   <b>Q. Such as who?</b></p> <p>20   A. I know my -- my -- a couple    21 neighbors had said it, something like they    22 heard that if your dad retires, it will    23 save your job and then maybe you can go    24 on and still have a career.</p>
<p>267</p> <p>1     A. I would say it's January --    2 well, I heard -- to be clear that was the    3 first --</p> <p>4     <b>Q. Just answer my question.</b></p> <p>5     A. I would say that particular one was    6 January of '18 or February of '18, one of the    7 two.</p> <p>8     <b>Q. Okay. January or February 2018,</b>    9 <b>you're standing in the circle by the station</b>    10 <b>with Chane Fogg and Officer Vaughn, do I</b>    11 <b>have this right?</b></p> <p>12   A. And several other officers that    13 I can't remember.</p> <p>14   <b>Q. And what do you hear with respect</b>    15 <b>to your job being saved?</b></p> <p>16   A. That the word around from everybody    17 is if your dad retires, it will save your job    18 and that's what they want, they want your dad    19 out of the picture.</p> <p>20   <b>Q. And who stated that?</b></p> <p>21   A. Either Fogg or Vaughn, I'm not    22 sure.</p> <p>23   <b>Q. And did anybody else state that?</b></p> <p>24   A. Over the course of time or that</p>	<p>269</p> <p>1           I mean, what kind of    2 answer is that -- or what kind of question    3 is that?</p> <p>4     <b>Q. What neighbor said that to</b>    5 <b>you?</b></p> <p>6     A. I don't know, down the block.    7 I can't recall at this time maybe -- maybe    8 Joey Amabile.</p> <p>9     <b>Q. Did they say where they heard that</b>    10 <b>from?</b></p> <p>11   A. The powers that be.</p> <p>12   <b>Q. Who would that be?</b></p> <p>13   A. The administration, the village    14 or whoever they talk to by proxy and by    15 proxy I mean a lot of times a message will    16 be sent through one person to another so    17 as to not implicate the other person.</p> <p>18   <b>Q. All right. One other thing I want</b>    19 <b>to follow up on and we'll call it quits here</b>    20 <b>is the chief. You testified that Vito Scavo</b>    21 <b>was being referred to as the chief?</b></p> <p>22   A. Yes.</p> <p>23   <b>Q. Okay. And you heard Michael</b>    24 <b>Castellan refer to him as the chief, is</b></p>

John Scatchell, Jr.

August 5, 2020

<p>1   <b>that correct?</b></p> <p>2   A. The chief, chiefly babes, Vito the 3   chief.</p> <p>4   <b>Q. All right. Were you ever in</b> 5   <b>the police station when Michael Castellan</b> 6   <b>referred to Vito Scavo as the chief?</b></p> <p>7   A. Yes.</p> <p>8   <b>Q. How many times?</b></p> <p>9   A. Many.</p> <p>10   <b>Q. And would he address you?</b></p> <p>11   A. We'd be like -- for example, the 12   one that stands out to me is me and him were 13   walking in the back door -- well, he was 14   walking in from his garage --</p> <p>15   <b>Q. You, you and who?</b></p> <p>16   A. Me and Deputy Chief Castellan. 17   I was walking in from where we park the 18   squads which is the same back door. His 19   parking garage, you could pretty much meet -- 20   if you're all going up the stairs, if you 21   walk in the same time, you're going to 22   walk up the same time.</p> <p>23         So one day, him and I had 24   a conversation in the hallway in the</p>	<p>270</p> <p>1   <b>Castellan mention the chief around you in</b> 2   <b>reference to Vito Scavo?</b></p> <p>3   A. Many of -- no other ones that I 4   can cite in particular besides that one.</p> <p>5   <b>Q. That particular one do you</b> 6   <b>remember like a month and year of that?</b></p> <p>7   A. Probably because he was still 8   talking to me at the time so 2014-'15ish.</p> <p>9   <b>Q. And did you ever hear Deputy</b> 10   <b>Chief Castellan use the phrase the chief</b> 11   <b>in reference to Vito Scavo after that?</b></p> <p>12   A. Maybe at the Cubs game and that 13   would probably be the last time I heard it.</p> <p>14   <b>Q. And so as far as you were aware,</b> 15   <b>based on that conversation, Deputy Chief</b> 16   <b>Castellan, Deputy Chief Castellan knew --</b> 17   <b>strike that question.</b></p> <p>18         MR. CASPER: All right. 19         That's all the questions I have.</p> <p>20   <b>R E D I R E C T   E X A M I N A T I O N</b> 21         by Mr. Fowler</p> <p>22   <b>Q. What is Brian Jarecki's position?</b></p> <p>23   A. Patrol officer.</p> <p>24   <b>Q. What's the process for being</b></p>
<p>271</p> <p>1   stairwell, hey, how's chiefly babes, how's 2   he doing, things like that and when he wants 3   to friendly you up, he refers to everybody 4   as babes, Johnny babes, chiefly babes, this 5   babes, that babes. I don't trust him.</p> <p>6   <b>Q. Is Vito Scavo known as chief by</b> 7   <b>anyone else?</b></p> <p>8   A. Only to people that still show 9   him the respect of the position he once 10   held.</p> <p>11   <b>Q. Okay. So is that a nickname for</b> 12   <b>him, chief?</b></p> <p>13   A. I would say.</p> <p>14   <b>Q. Do other people call him the chief?</b></p> <p>15   A. Some.</p> <p>16   <b>Q. Are you certain that when Michael</b> 17   <b>Castellan had, for example, that conversation</b> 18   <b>with you that you just mentioned, are you</b> 19   <b>certain that he was referring to Vito Scavo?</b></p> <p>20   A. Absolutely.</p> <p>21   <b>Q. How are you certain of that?</b></p> <p>22   A. Because I don't have a personal 23   relationship with Chief Pitassi.</p> <p>24   <b>Q. And at any other times did Michael</b></p>	<p>273</p> <p>1   <b>promoted from patrol officer?</b></p> <p>2   A. I believe -- I don't think you 3   have to put in for it. I believe that 4   they've promoted people without putting 5   in for it, but if it's something that you 6   really want, you should put in a to/from 7   for it.</p> <p>8   <b>Q. Isn't there a testing process</b> 9   <b>with the Board of Fire and Police</b> 10   <b>Commissioners?</b></p> <p>11         MR. CASPER: Object to 12         foundation.</p> <p>13   BY THE WITNESS:</p> <p>14         A. For which kind of promotion?</p> <p>15   BY MR. CASPER:</p> <p>16   <b>Q. For promotion from patrolman to</b> 17   <b>sergeant?</b></p> <p>18         A. Patrolman to sergeant, sure. I 19   wasn't saying that's what Jarecki wanted.</p> <p>20   <b>Q. What promotion did he want?</b></p> <p>21         A. He wanted to be put in the tact 22   division again.</p> <p>23         MR. BERSANI: Did you say -- 24         what was the last word?</p>

John Scatchell, Jr.

August 5, 2020

<p>1                   (Whereupon, the requested 2                   portion of the record was 3                   read accordingly.)</p> <p>4 BY MR. FOWLER:</p> <p>5       <b>Q. So Jarecki had been in the tact</b> 6       <b>division at one point?</b></p> <p>7       A. Yes.</p> <p>8       <b>Q. Do you know what -- why he was</b> 9       <b>moved out of the tact division?</b></p> <p>10      A. Because he testified during Vito's 11     hearing.</p> <p>12      <b>Q. What personal knowledge do you</b> 13     <b>have of why he was moved out of tact?</b></p> <p>14      MR. CASPER: Objection, asked 15     and answered.</p> <p>16      BY THE WITNESS:</p> <p>17      A. Just what I was told as to why 18     he was removed and that was what I was told.</p> <p>19      BY MR. FOWLER:</p> <p>20      <b>Q. Who told you that?</b></p> <p>21      A. Many people.</p> <p>22      <b>Q. Any of the deputy chiefs tell you</b> 23     <b>that?</b></p> <p>24      A. No.</p>	<p>274</p> <p>1       <b>Q. So --</b> 2        MR. BERSANI: '17? 3        THE WITNESS: '16.</p> <p>4 BY MR. FOWLER:</p> <p>5       <b>Q. '16?</b></p> <p>6       A. Yeah, '16. Sorry.</p> <p>7       <b>Q. So referring to that vote, do</b> 8       <b>you know who voted for and against him?</b></p> <p>9       A. Based on what people have told 10     me how they voted, yes.</p> <p>11      <b>Q. And it's only based on what people</b> 12     <b>said they voted?</b></p> <p>13      A. No.</p> <p>14      <b>Q. So how did that vote take place?</b></p> <p>15      A. In the roll call room in the station.</p> <p>16      <b>Q. Okay. So in the roll call room.</b> 17     <b>Was it hands, was it secret</b> 18     <b>ballot, what was it?</b></p> <p>19      A. I think it was secret ballot. I 20     don't exactly recall right now.</p> <p>21      <b>Q. So the only way you know who voted</b> 22     <b>for and against was based on what people</b> 23     <b>said afterwards about how they voted?</b></p> <p>24      A. No, read the room.</p>
<p>275</p> <p>1       <b>Q. Pitassi tell you that?</b></p> <p>2       A. Not that I recall.</p> <p>3       <b>Q. How do you know who voted for and</b> 4       <b>against your father?</b></p> <p>5       <b>Well, let me ask you first,</b> 6       <b>do you know who voted for and against your</b> 7       <b>father?</b></p> <p>8       A. Based on --</p> <p>9        MR. BERSANI: What are we 10     talking about, Jeff?</p> <p>11      BY MR. FOWLER:</p> <p>12      <b>Q. Let me back up. You referred to</b> 13     <b>earlier that the Scatchell tax was paid by</b> 14     <b>people who voted against your dad, right?</b></p> <p>15      A. Voted for my dad.</p> <p>16      <b>Q. Voted for your dad?</b></p> <p>17      A. Showed support for my dad, yes.</p> <p>18      <b>Q. And you're referring to the vote</b> 19     <b>whereby he was running for president of</b> 20     <b>the FOP and he was replaced, is that it?</b></p> <p>21      A. Correct.</p> <p>22      <b>Q. All right. And that was in the</b> 23     <b>fall of 2017, December 2017?</b></p> <p>24      A. I believe it was fall.</p>	<p>275</p> <p>1       <b>Q. Okay. Anything else?</b></p> <p>2       A. There's FOP meetings every month. 3       All of a sudden every person from the 4       specialty division, every person that was 5       deemed to be a friend of either Castellan, 6       Pitassi or Rogowski showed up. It seemed 7       like the deck was stacked from the minute 8       he walked in that room, him being my father.</p> <p>9       <b>Q. Now, during that vote, none of</b> 10      <b>the deputy chiefs were there, were they?</b></p> <p>11      A. They shouldn't have been. If 12     they were, they hid pretty well.</p> <p>13      <b>Q. You were there, you didn't see</b> 14     <b>them?</b></p> <p>15      A. Just because I didn't see them 16     doesn't mean their presence was there. 17     There was cameras all in that room.</p> <p>18      <b>Q. Did you see Pitassi in that room?</b></p> <p>19      A. I didn't.</p> <p>20      <b>Q. Any other way you know how people</b> 21     <b>voted during that meeting?</b></p> <p>22      A. Yes, they told me.</p> <p>23      <b>Q. Okay. Anything else?</b></p> <p>24      A. Would you like to know who told me?</p>

John Scatchell, Jr.

August 5, 2020

<p>1     <b>Q. Not really.</b></p> <p>2     A. Well, Gene Cacciato told me he 3 did, he voted against my dad and he got 4 promoted. Luis Flores told me he voted 5 against my dad and he got put in tact and 6 then removed. Johnny Amabile told me he 7 voted against my dad and he got promoted 8 to tact.</p> <p>9     <b>Q. Who voted for your dad -- well, 10 strike that.</b></p> <p>11    <b>Who told you that they voted 12 for your dad?</b></p> <p>13    A. That's a slippery slope, Jeff, 14 because then they're going to have to sit 15 here.</p> <p>16    <b>Q. So let me ask it this way, who 17 told you that they voted for your dad and 18 then suffered an adverse consequence because 19 of it?</b></p> <p>20    A. Brian Jarecki.</p> <p>21    <b>Q. Anybody else?</b></p> <p>22    A. Chane Fogg.</p> <p>23    <b>Q. Anybody else?</b></p> <p>24    A. John Menolascino.</p>	<p>278</p> <p>1     <b>Q. How do you know he's never going 2 to be promoted above lieutenant?</b></p> <p>3     A. Well, let's revisit the question 4 in five years and we'll answer it.</p> <p>5     <b>Q. Okay. What negative thing happened 6 to John Menolascino?</b></p> <p>7     A. I know he adamantly wanted the 8 tactical division because he's one of my 9 best friends and we had that discussion 10 many times.</p> <p>11    And I felt there is no 12 better officer in that building still 13 qualified to be in that tact division 14 than John Menolascino and the only reason 15 I figure he wasn't given it was because 16 he was my friend. And the rumor was his 17 father was told that.</p> <p>18    <b>Q. Anything else?</b></p> <p>19    A. That's it.</p> <p>20    <b>Q. What negative thing happened to 21 Chane Fogg as a result of voting for your 22 father?</b></p> <p>23    A. Last place on the sergeant's 24 list or within the last three spots and</p>
<p>279</p> <p>1     MR. COOPER: How do you 2 spell that for the court reporter?</p> <p>3 BY THE WITNESS:</p> <p>4     A. M-E-N-O-L-A-S-C-I-N-O.</p> <p>5     And to be clear, he told 6 me he voted for my father. I extrapolated 7 the rest.</p> <p>8 BY MR. FOWLER:</p> <p>9     <b>Q. Okay. Anybody else?</b></p> <p>10    A. Joe Urso and I said Brian Jarecki. 11 I'd have to sit and think about this for 12 a second. At this time I can't recall any 13 other names, but there are other names 14 obviously. He had --</p> <p>15     <b>Q. What negative thing happened to --</b></p> <p>16    A. -- seventeen votes.</p> <p>17     <b>Q. What negative thing happened to Joe 18 Urso?</b></p> <p>19    A. Joe Urso is never going to be 20 promoted anything higher than lieutenant.</p> <p>21     <b>Q. He was promoted to lieutenant 22 after that meeting, wasn't he?</b></p> <p>23    A. No, he was not. He was promoted 24 by Scavo.</p>	<p>281</p> <p>1     he's another guy with a ton of seniority, 2 ton of knowledge, has no business being 3 at the bottom of the sergeant list.</p> <p>4     <b>Q. Okay. So walk me through the 5 process of what it takes, what happens 6 when somebody gets put on the sergeant 7 list.</b></p> <p>8     <b>Is that a written test?</b></p> <p>9     <b>What is it?</b></p> <p>10    A. Yeah, you go in for a written test 11 first.</p> <p>12     <b>Q. Who does the written test?</b></p> <p>13    A. The police commissioners, the 14 board, I believe.</p> <p>15     <b>Q. Other than a written test, is 16 there anything else part of the process?</b></p> <p>17    A. Well, the process changes from 18 year-to-year or -- well, it's every three 19 years but that changes every couple of 20 years. The first time it came about I 21 was able to take the test. They told me 22 I could take the test, I took the test, I 23 passed, took the oral interview and then 24 I was told I didn't have enough chief</p>

John Scatchell, Jr.

August 5, 2020

<p>1 points to qualify.      2            Whatever, I had a couple      3 years on, I didn't care. A couple of years      4 later when the last one came out, I was      5 told I wasn't allowed to take the test      6 because I didn't have enough time on the      7 job, but then Robert Anzaldi was allowed      8 to take the test because he was Castellan's      9 nephew.</p> <p>10      <b>Q. Anything else?</b>      11      A. And he didn't have five years on      12 him. He transferred from Berkley after I      13 came here, so he had less than five clearly.</p> <p>14      <b>Q. So other than a written test, what      15 is it in the process that results in how      16 they place on the list?</b></p> <p>17      MR. COOPER: Asked and      18 answered. He said oral in addition.</p> <p>19 BY MR. FOWLER:</p> <p>20      <b>Q. Who is the oral with?</b>      21      A. Probably the commissioners. When      22 I went, it was -- I remember Esposito and      23 Caputo being there. I can't recall if Rauzi      24 was there or not.</p>	<p>282</p> <p>1      <b>Q. What facts do you have that Deputy      2 Chief Rogowski had any say in how somebody      3 places on the sergeant's list?</b>      4      A. I don't know that he did.</p> <p>5      <b>Q. All right. What facts do you      6 have that Director Pitassi has any say in      7 how somebody places on the sergeant's list?</b>      8      A. I don't know that too many of      9 his guys have been promoted. I mean,      10 some of them have, but I know that he has      11 a direct oversee of who gets promoted in      12 the specialty divisions. His son was      13 promoted in the tact division which after      14 what, two years, not even. I don't think      15 that was warranted. Still don't.</p> <p>16      <b>Q. Did I hear you say that John      17 Menolascino had been on the tact unit?</b>      18      A. No, he never was. Brian Jarecki      19 was.</p> <p>20      <b>Q. And you mentioned that the last      21 time you heard Director Pitassi use the      22 N word was when you were about 14.      23 How old are you now?</b>      24      A. Thirty-one.</p>
<p>283</p> <p>1      <b>Q. What facts do you have that lead      2 you to believe that Mayor Serpico decides      3 how somebody places on the sergeant's list?</b>      4      A. Look at the list and look at the      5 candidates and look at the candidates that      6 were passed up or told that they failed.      7 They told Mark Lockton he failed his last      8 police test, which he might have, but I      9 find that hard to believe a 20-year guy      10 would fail a sergeant test especially when      11 they put him as a senior officer I don't      12 know how many times.</p> <p>13      <b>Q. Anything else?</b>      14      A. Not that I can recall at this time.</p> <p>15      <b>Q. What facts do you have that Deputy      16 Chief Castellan had a say as to where somebody      17 placed on the sergeant's list?</b>      18      A. All of his friends are promoted.</p> <p>19      <b>Q. Anything else?</b>      20      A. Pesch, Natale, Gepetta, anybody      21 that was ever shown to be close to Castellan      22 now has a good position.</p> <p>23      <b>Q. Anything else?</b>      24      A. No.</p>	<p>285</p> <p>1      <b>Q. So that was about 17 years ago?</b>      2      A. Yes. Doesn't change the fact      3 that it occurred over many years and I      4 heard it many times. A tiger doesn't      5 change its stripes.</p> <p>6      MR. FOWLER: All right. That's      7 all I have.</p> <p>8      MR. BERSANI: I have nothing.</p> <p>9      MR. WOERNER: Nothing further.</p> <p>10     RECROSSES - EXAMINATION      11     by Mr. Casper</p> <p>12     <b>Q. Based on that, when you used the      13 phrase promotion, are you using that to      14 refer to transfers from officers to the      15 tact division?</b>      16     A. Promotion can mean promotion      17 from anything from patrol, so patrol to      18 traffic, patrol to tact, patrol to detectives      19 or patrol to rank and file position like      20 sergeant or lieutenant.</p> <p>21     <b>Q. Okay. But when you refer to a      22 promotion as a transfer from patrol to      23 tact or those other divisions, that doesn't      24 have to go through a list process --</b></p>

John Scatchell, Jr.

August 5, 2020

<p>1     A. No.</p> <p>2     <b>Q. -- such the sergeant's list does,</b></p> <p>3     <b>does it?</b></p> <p>4     A. No, it doesn't.</p> <p>5     <b>Q. Who's in charge of those</b></p> <p>6     <b>"promotions" from, for example, patrol</b></p> <p>7     <b>to tact?</b></p> <p>8     A. I was always told that that was</p> <p>9     the deputy chief's role and then when</p> <p>10    Rogowski came in as deputy chief, they</p> <p>11    subdivided the roles.</p> <p>12    <b>Q. So, in other words, the police</b></p> <p>13    <b>board, the personnel board, the Board of</b></p> <p>14    <b>Fire and Police Commissioners doesn't have</b></p> <p>15    <b>any control over the "promotion" from</b></p> <p>16    <b>patrol to tactical?</b></p> <p>17    A. Correct.</p> <p>18    <b>Q. Okay. That's the deputy chief</b></p> <p>19    <b>or the chief or the director?</b></p> <p>20    A. Correct.</p> <p>21    <b>Q. And there is an oral interview</b></p> <p>22    <b>that is required in this municipality for</b></p> <p>23    <b>an officer to be placed on the sergeant's</b></p> <p>24    <b>list, is that true?</b></p>	<p>286</p> <p>1     <b>Q. And they were appointed by who?</b></p> <p>2     A. To my belief, the mayor.</p> <p>3     <b>Q. Does the mayor have to reappoint</b></p> <p>4     <b>those three individuals every so often?</b></p> <p>5     A. He's supposed to do it staggered</p> <p>6     every three years.</p> <p>7     <b>Q. Has he ever appointed any other</b></p> <p>8     <b>individuals to that spot other than those --</b></p> <p>9     <b>Rauzi, Esposito and Caputo?</b></p> <p>10    MR. BERSANI: Object to lack</p> <p>11    of foundation.</p> <p>12    BY MR. CASPER:</p> <p>13    <b>Q. If you know?</b></p> <p>14    A. Since that point, no.</p> <p>15    <b>Q. So is it always those same three</b></p> <p>16    <b>individuals who are conducting the role</b></p> <p>17    <b>interview for an officer to be on the</b></p> <p>18    <b>sergeant's list?</b></p> <p>19    A. Yes.</p> <p>20    <b>Q. Do you know anything about are</b></p> <p>21    <b>those oral interviews open to the public?</b></p> <p>22    A. No.</p> <p>23    <b>Q. Do you know that?</b></p> <p>24    A. Well, when I was at my interview,</p>
<p>287</p> <p>1     A. Yes.</p> <p>2     <b>Q. So it's not just a test,</b></p> <p>3     <b>it's a test plus an interview, is that</b></p> <p>4     <b>true?</b></p> <p>5     A. Yes.</p> <p>6     <b>Q. And that interview is conducted</b></p> <p>7     <b>by whom, if you know?</b></p> <p>8     A. I believe that same board, whatever</p> <p>9     name they go by, but those three individuals.</p> <p>10    <b>Q. And those individuals, do you know</b></p> <p>11    <b>who they are now?</b></p> <p>12    A. As they are now, I believe it's</p> <p>13    Rauzi, Caputo and Esposito.</p> <p>14    <b>Q. And how long have those three</b></p> <p>15    <b>gentlemen been on that board?</b></p> <p>16    A. At least until some point after</p> <p>17    I got hired or they might have been there</p> <p>18    when I got hired. All I can tell you is my</p> <p>19    commission card showed George Leoni and</p> <p>20    that was in 2012.</p> <p>21    <b>Q. Okay. But Caputo, Rauzi and</b></p> <p>22    <b>Esposito have been there since after you</b></p> <p>23    <b>were hired?</b></p> <p>24    A. Yes.</p>	<p>289</p> <p>1     there was no public there.</p> <p>2     <b>Q. Well, when did you undergo yours?</b></p> <p>3     A. It would have either been 2013 or</p> <p>4     '14 I believe.</p> <p>5     <b>Q. Who was your oral interview with?</b></p> <p>6     A. Caputo and Esposito.</p> <p>7     <b>Q. What kinds of questions did they</b></p> <p>8     <b>ask you?</b></p> <p>9     A. Why do you believe that you would</p> <p>10    be a good supervisor, what traits, like basic</p> <p>11    background questions as to they want to know</p> <p>12    what kind of supervisor you're going to be</p> <p>13    like if you witness another supervisor doing</p> <p>14    this, are you going to keep it to yourself</p> <p>15    or are you going to tell -- it's like all</p> <p>16    those kind of questions and there is a panel</p> <p>17    of five people and everybody answers in</p> <p>18    turn.</p> <p>19    <b>Q. Oh, there is a five person panel</b></p> <p>20    <b>to conduct the oral interview?</b></p> <p>21    A. There's five other officers. So</p> <p>22    I would be there and then four others and</p> <p>23    then the same question is posed to all five</p> <p>24    officers in order.</p>

John Scatchell, Jr.

August 5, 2020

<p>1      <b>Q. Are the questions preprinted like</b>      2      <b>on a form?</b>      3      A. I would guess, yes.      4      <b>Q. Okay. And then Mr. Caputo and</b>      5      <b>Mr. Rauzi and Mr. Esposito, did they make</b>      6      <b>the determination of who goes on that list</b>      7      <b>next?</b>      8      A. I believe they do.      9      <b>Q. Is there -- is that decision made</b>      10     <b>there and then or sometime later?</b>      11     A. Sometime very later.      12     <b>Q. If you know, do they have to get</b>      13     <b>approval from Mayor Serpico to pick who</b>      14     <b>passes the oral interview process?</b>      15     A. I believe they do.      16     <b>Q. What's your basis for that belief?</b>      17     A. That's what's been told around      18     town. I mean --      19     <b>Q. Who told that around town?</b>      20     A. It goes around the station and      21     then rumor mill in town picks it up pretty      22     quickly, but my point would be that -- go      23     ahead, next question.      24     MR. CASPER: No, that's all</p>	<p>1      <b>your father use the term wolf pack?</b>      2      A. I don't know, a few.      3      <b>Q. More than ten?</b>      4      A. I wouldn't say that. I -- I      5      couldn't give you a firm answer as far      6      as numbers because again the term I don't      7      believe originated from us and it was      8      perpetuated by the other side.      9      <b>Q. That's not what I asked you,</b>      10     <b>though. I asked you how many times did</b>      11     <b>your father use --</b>      12     A. And my answer was --      13     MR. CASPER: Objection,      14     asked and answer.      15     BY MR. BERSANI:      16     <b>Q. Hang on. Hang on. He objected.</b>      17     <b>You've got to wait until he finishes. So</b>      18     <b>he's done.</b>      19     <b>How many times did your</b>      20     <b>father use the term wolf pack?</b>      21     A. My recollection would be I don't      22     recall how many times because we had many      23     conversations about what Castellan referred      24     to us as.</p>
<p>1      I have.      2      MR. BERSANI: I have a quick      3      question.      4      C R O S S - E X A M I N A T I O N      5      by Mr. Bersani      6      <b>Q. Have you ever heard your father</b>      7      <b>use the term wolf pack?</b>      8      MR. CASPER: Object to --      9      go -- go ahead.      10     BY THE WITNESS:      11     A. Yeah, exciting that's what we're      12     referred to as the wolf pack by them so      13     instead of just whatever, okay, we're the      14     wolf pack, big deal, call us what you want      15     to call us, it doesn't matter.      16     BY MR. BERSANI:      17     <b>Q. And how many times have you heard</b>      18     <b>your father use the term wolf pack to refer</b>      19     <b>to his guys?</b>      20     A. Not to refer to his guys, to      21     refer to what Castellan would say.      22     <b>Q. In referring to his guys?</b>      23     A. Yeah.      24     <b>Q. How many times have you heard</b></p>	<p>291</p> <p>1      <b>Has he ever used the term wolf</b>      2      <b>pack outside of referencing Mike Castellan?</b>      3      A. Not that I can recall at this      4      time.      5      <b>Q. And have you ever heard -- has</b>      6      <b>anyone ever told you that your father used</b>      7      <b>the term wolf pack?</b>      8      A. Not that I can recall at this time.      9      MR. BERSANI: That's it. Thanks.      10     MR. CASPER: That's all.      11     MR. FOWLER: That's it.      12     MR. COOPER: We'll reserve.      13     (Witness excused.)      14     AND FURTHER THE DEPONENT SAITH NAUGHT...      15     -ooOoo-      16      17      18      19      20      21      22      23      24</p> <p>293</p>

John Scatchell, Jr.

August 5, 2020

<p style="text-align: center;">294</p> <p>1        UNITED STATES DISTRICT COURT 2        NORTHERN DISTRICT OF ILLINOIS 3        EASTERN DIVISION 4        JOHN SCATCHELL, SR.,      ) 5        Plaintiff,      ) 6        vs      ) No. 2018cv03989 7        VILLAGE OF MELROSE PARK,      ) 8        an Illinois Municipal      ) 9        Corporation; RONALD D.      ) 10      SERPICO; SAM C. PITASSI;      ) 11      MICHAEL CASTELLAN; and      ) 12      STEVEN ROGOWSKI,      ) 13      Defendants.      ) 14 15      I hereby certify that I have 16      read the foregoing transcript of my deposition 17      given on August 5, 2020, at the time and place 18      aforesaid, consisting of Pages 1 through 293, 19      inclusive, and I do again subscribe and make 20      an oath that the same is a true, correct and 21      complete transcript of my deposition so given 22      as aforesaid. 23 24      Please check one: 25 26      _____ I have submitted errata sheet(s) 27      _____ No corrections were noted 28 29      <u>JOHN SCATCHELL</u> 30 31      SUBSCRIBED AND SURNED TO 32      before me this      day 33      of      , A.D., 2020. 34 35      Notary Public</p>	<p style="text-align: center;">296</p> <p>1        WITNESS ERRATA SHEET Page #2 2        JOHN SCATCHELL, SR.,      ) 3        Plaintiff,      ) 4        vs      ) No. 2018cv03989 5        VILLAGE OF MELROSE PARK,      ) 6        an Illinois Municipal      ) 7        Corporation; RONALD D.      ) 8        SERPICO; SAM C. PITASSI;      ) 9        MICHAEL CASTELLAN; and      ) 10      STEVEN ROGOWSKI,      ) 11      Defendants.      ) 12 13      I wish to make the following changes for the 14      following reasons: 15      Page Line 16      _____ Change: _____ 17      Reason: _____ 18      Page Line 19      _____ Change: _____ 20      Reason: _____ 21      Page Line 22      _____ Change: _____ 23      Reason: _____ 24      (Signed) _____</p>
<p style="text-align: center;">295</p> <p>1        WITNESS ERRATA SHEET Page #1 2        JOHN SCATCHELL, SR.,      ) 3        Plaintiff,      ) 4        vs      ) No. 2018cv03989 5        VILLAGE OF MELROSE PARK,      ) 6        an Illinois Municipal      ) 7        Corporation; RONALD D.      ) 8        SERPICO; SAM C. PITASSI;      ) 9        MICHAEL CASTELLAN; and      ) 10      STEVEN ROGOWSKI,      ) 11      Defendants.      ) 12 13      I wish to make the following changes for the 14      following reasons: 15      Page Line 16      _____ Change: _____ 17      Reason: _____ 18      Page Line 19      _____ Change: _____ 20      Reason: _____ 21      Page Line 22      _____ Change: _____ 23      Reason: _____ 24      (Signed) _____</p>	<p style="text-align: center;">297</p> <p>1        WITNESS ERRATA SHEET Page #3 2        JOHN SCATCHELL, SR.,      ) 3        Plaintiff,      ) 4        vs      ) No. 2018cv03989 5        VILLAGE OF MELROSE PARK,      ) 6        an Illinois Municipal      ) 7        Corporation; RONALD D.      ) 8        SERPICO; SAM C. PITASSI;      ) 9        MICHAEL CASTELLAN; and      ) 10      STEVEN ROGOWSKI,      ) 11      Defendants.      ) 12 13      I wish to make the following changes for the 14      following reasons: 15      Page Line 16      _____ Change: _____ 17      Reason: _____ 18      Page Line 19      _____ Change: _____ 20      Reason: _____ 21      Page Line 22      _____ Change: _____ 23      Reason: _____ 24      (Signed) _____</p>

John Scatchell, Jr.

August 5, 2020

298

1 STATE OF ILLINOIS )  
2 ) SS.  
3 COUNTY OF C O O K )  
4  
5 I, LORI ANN ASAUSKAS, a notary public  
6 within and for the County of Cook and State of  
7 Illinois, do hereby certify that heretofore,  
8 to-wit, on the 5th day of August, A.D., 2020,  
9 personally appeared before me at the Village  
10 of Melrose Park, 1000 N. 25th Street, Melrose  
11 Park, Illinois, County of Cook and State of  
12 Illinois, JOHN SCATCHELL, JR., a witness,  
13 called by the Defendants in a certain cause  
14 now pending and undetermined in the United  
15 States District Court, Northern District of  
16 Illinois, Eastern Division wherein JOHN  
17 SCATCHELL, SR., is the plaintiff and VILLAGE  
18 OF MELROSE PARK, an Illinois Municipal  
19 Corporation; RONALD D. SERPICO; SAM C. PITASSI;  
20 MICHAEL CASTELLAN; and STEVEN ROGOWSKI are the  
21 defendants.  
22 I further certify that the said witness,  
23 JOHN SCATCHELL, was by me first duly sworn to  
24 testify the truth, the whole truth and nothing  
but the truth in the cause aforesaid; that the

299

1 testimony then given by him was by me  
2 reduced to writing by means of shorthand  
3 in the presence of said witness and  
4 afterwards transcribed upon a computer,  
5 and the foregoing is a true and correct  
6 transcript of the testimony so given by  
7 him as aforesaid.

8 I further certify that the  
9 reading and signing of said deposition was  
10 reserved by the witness.

11 I further certify that the taking  
12 of the deposition was pursuant to notice,  
13 and that there were present at the taking  
14 of the deposition the aforementioned parties.

15 I further certify that I am not  
16 counsel for nor in any way related to any  
17 of the parties to this suit, nor am I in  
18 any way interested in the outcome thereof.

19 In testimony whereof I have  
20 hereunto set my hand and affixed my notarial  
21 seal this 24th day of August, A.D., 2020.

22  
23 LORI ANN ASAUSKAS, CSR, RPR.  
Notary Public, Cook County, IL  
Illinois License No. 084-002890  
24

John Scatchell, Jr.

August 5, 2020

Page 300

<b>A</b>	226:6,15 <b>adjective</b> 149:5 <b>administration</b> 43:5 56:10 135:23 236:2 237:11 238:3,7 245:15,18 269:13 <b>administration/...</b> 235:16 <b>administration/...</b> 235:22 <b>administrative</b> 156:17 <b>adopt</b> 35:16 <b>adverse</b> 159:11,18 219:12 278:18 <b>affect</b> 9:20 10:1 <b>affixed</b> 299:20 <b>Afghanistan</b> 90:14 208:9,10 <b>afield</b> 197:3 <b>aforementioned</b> 299:14 <b>aforesaid</b> 294:12 294:14 298:24 299:7 <b>African-American...</b> 257:14 <b>African-American...</b> 258:7 <b>afternoon</b> 231:16 242:3 <b>age</b> 47:7 106:15 113:23 114:13 117:1,23 139:1 139:14 <b>agency</b> 194:22 <b>agenda</b> 54:4 <b>ages</b> 36:20 <b>ago</b> 12:7 36:20 64:14 98:15 154:4 214:6 <b>addressed</b> 203:19	255:4 261:6 263:24 285:1 <b>agree</b> 25:18 127:19 149:10 150:19 189:8 <b>agreement</b> 60:5 150:4,10,12 268:3 <b>ah</b> 252:2 <b>ahead</b> 18:21 34:19 41:12 60:19,24 82:5 91:15 97:23 101:16 130:6 137:17 195:1 208:4 248:5 250:3,4,4 255:15 256:10 290:23 291:9 <b>ain't</b> 69:8 203:11 <b>air</b> 237:22 <b>aligned</b> 236:3 237:12 <b>allegation</b> 264:9 <b>allegations</b> 222:24 225:9 <b>alleged</b> 156:15 <b>allow</b> 196:24 <b>allowed</b> 51:1,9,11 60:12 86:18 93:22 94:24 96:12,14 207:20 282:5,7 <b>allowing</b> 98:21 197:6 206:10 <b>Amabile</b> 269:8 278:6 <b>ambiguity</b> 33:5 <b>amended</b> 191:15 191:18 <b>Amendment</b> 15:1 15:3,14,21,24 16:9,18,22 17:3 17:6,10 18:11 28:16 29:5,11,13	29:20 32:4,4,11 32:12,24 34:12 34:14,22 35:4 38:2,14,21 40:20 40:23 41:3,14 74:3,7,11,13,18 74:22 75:21 76:1,17,22 77:15 77:18,23 78:2,5 87:22,24 145:8 145:11,13,18,22 146:14,18 147:8 147:11,15,20,23 147:24 148:8,12 148:17,21 151:2 151:5,8,22 152:2 152:13,18 153:7 154:10,22 155:5 155:16,21 156:1 156:6 157:7 158:1,5 162:23 163:18 181:17 <b>aligned</b> 236:3 181:20,23 182:5 182:7 183:10,22 184:1,5,11,16 185:1,5,9 186:15 186:24 193:13 194:1,8,13,18 205:16 206:1,10 206:15,19 207:8 209:4,17 210:3 213:9,20 215:2 216:7 220:17 222:6 228:17 229:6 <b>America</b> 206:3 <b>ammunition</b> 225:11,15,18,24 226:7,9 <b>amok</b> 60:12,13 <b>amount</b> 55:24 <b>Anastacio</b> 123:12 123:22 <b>and-</b> 2:6,21	<b>Angela</b> 49:18 50:11 51:16 208:13 213:18 221:2 <b>ANN</b> 1:15 298:4 299:22 <b>answer</b> 7:12,17,19 7:22 8:7 9:5,10 15:11,17,20 16:8 17:12 18:13,15 18:22 19:6 27:20 28:7 31:11 34:1 36:12 37:23 39:11 40:8 42:7 45:7 62:21 63:2 68:9 83:15,16 88:4 98:23 101:17 107:3,12 109:1,20 118:18 118:19 126:4,7 126:16 127:4,7 131:16 132:8 134:24 136:13 138:2,3 147:18 155:3 158:9 159:3,20,22 162:13 185:19 185:23 186:8,10 191:2,6,15,16,18 192:4,6,20 196:8 196:22,23 197:7 197:16 200:5 204:17 208:4 215:19 216:23 230:4,16 235:21 236:22 239:11 244:17 248:6 250:6,10 257:15 267:4 269:2 280:4 292:5,12 292:14 <b>answered</b> 16:5 34:7 35:1 45:6
----------	--	---	---	---

John Scatchell, Jr.

August 5, 2020

Page 301

45:14 50:3,15 51:18 70:5 107:1 131:15 140:8 145:24 146:7 162:11,16 186:2 195:24 208:3 230:14 274:15 282:18 <b>answering</b> 9:6 18:19 101:18 107:22 125:20 126:6,14,18 128:8 129:1,5 <b>answers</b> 9:21 10:3 10:8 289:17 <b>anybody</b> 28:1,6 28:12 44:16 49:3 52:7 60:16 61:17 64:16 65:2 72:6 90:17 94:19 99:4,6 102:11,18 111:24 117:22 118:6,11 120:20 122:8,19 139:4 142:22,23 162:1 203:3 207:18,22 208:24 210:22 212:6 215:7,11 215:24 216:4 221:12,15 232:21 246:17 246:19 250:19 259:7 263:11 265:22 267:23 278:21,23 279:9 283:20 <b>anymore</b> 47:11 129:14 162:2 212:8 <b>anytime</b> 70:21 <b>Anzaldi</b> 223:17 224:7,17,19,20 224:23 225:18	282:7 <b>apologize</b> 69:14 155:19 <b>appalled</b> 46:21 <b>apparent</b> 54:7 <b>apparently</b> 105:20 217:14 <b>appear</b> 35:18 <b>appearance</b> 185:22 <b>appeared</b> 2:11 3:6 <b>Appears</b> 21:14 23:14 26:12 <b> appended</b> 243:3 <b>application</b> 195:9 <b>applied</b> 196:2,14 <b>applies</b> 206:4 217:18 <b>apply</b> 194:21 <b>appointed</b> 288:1,7 <b>appreciate</b> 13:9 <b>approach</b> 264:14 <b>approached</b> 31:24 32:9 <b>approaching</b> 203:8 <b>appropriate</b> 161:3 <b>approval</b> 290:13 <b>approved</b> 149:17 <b>approximately</b> 240:24 <b>April</b> 152:16 157:22 186:6 194:6 <b>arbitrate</b> 261:12 <b>arbitrating</b> 261:20 262:19 <b>arbitration</b> 141:14 203:23 204:6,11,14 259:6 260:20 261:3,8,17 262:4 262:16,21 263:4	<b>arguably</b> 208:14 232:14 <b>argue</b> 141:13 262:14 <b>argued</b> 262:11 <b>argument</b> 101:9 125:13 <b>arm</b> 58:17 <b>article</b> 54:18 <b>articulated</b> 247:17 <b>ASAUSKAS</b> 1:15 298:4 299:22 <b>aside</b> 117:18 220:7 <b>asked</b> 30:14,14,22 34:2,5,17 38:12 45:5,14 50:3 51:18 63:4 68:5 68:9 70:5 72:14 83:15 88:12,13 88:14,17 89:1 107:23 109:22 127:7 131:15 135:4 140:7 145:24 146:7 153:23 154:2 156:10 162:15 185:3 195:24 208:3 227:10,11 227:12 230:8,9 254:24 256:10 274:14 282:17 292:9,10,14 <b>asking</b> 9:3 79:9,23 88:2,11 103:7 125:19 135:2 136:18 139:3 141:12,16 156:13 160:2 187:1 189:3 200:3 206:18,24 214:6 231:21 <b>asks</b> 10:11	<b>assert</b> 16:9 29:4 29:10 30:21 32:10,23 35:4 38:9 147:22 <b>asserting</b> 15:13 18:10 147:24 <b>assertion</b> 15:16 <b>assigned</b> 59:1,8 80:9 119:13 161:23 221:23 221:24 <b>assignment</b> 79:20 111:5 <b>associates</b> 20:2 <b>assume</b> 115:16 138:10,11 143:19 206:4 219:21 <b>assumed</b> 111:8 246:5 <b>assumes</b> 32:13,21 35:7 238:8 <b>assumption</b> 206:6 <b>assured</b> 70:18 <b>attempted</b> 223:23 <b>attended</b> 73:8 <b>attention</b> 123:18 123:20 187:18 <b>attorney</b> 20:12 36:9 37:17 <b>attorneys</b> 39:22 185:11,13,15 192:3 <b>audibility</b> 57:4 <b>audio</b> 12:14,17 142:24 143:1 21:19 24:12 163:17 211:9,19 294:12 298:7 299:21 <b>authority</b> 135:8	136:20 137:23 <b>Avenue</b> 3:3 89:18 <b>average</b> 181:24 <b>avoid</b> 97:13 153:10 <b>aware</b> 17:7,17,18 19:1,11 27:14 29:22 30:2,6,10 30:15 31:2 36:10,15 41:21 41:23 42:10,16 108:10 114:5 144:22 145:5,9 145:15 148:22 149:12 150:23 183:8 186:10,12 186:18,21 187:14 189:13 194:10,15 204:5 205:20 206:9 207:6 272:14 <b>awkwardly</b> 237:8
<hr/> <b>B</b> <hr/>				
<b>B</b> 4:8 5:1 <b>B-E-R-G</b> 101:7 <b>babes</b> 70:16 87:13 94:10,13 270:2 271:1,4,4,4,5,5 <b>back</b> 29:1 31:15 39:14 45:1 51:14 54:1,21 55:9 59:22 65:18 67:5 83:19 96:21 98:1 105:13 108:18 116:14 116:15 129:19 142:24 143:1 148:5 151:6 157:20 158:12 162:9 188:24 197:5 202:11 215:19 237:2				

John Scatchell, Jr.

August 5, 2020

Page 302

241:21 246:23 264:24 265:1,4 266:12,21 270:13,18 275:12 <b>back-to-back</b> 121:12 <b>background</b> 289:11 <b>backseat</b> 203:14 <b>backup</b> 106:6 <b>backyard</b> 95:8 251:1 <b>bad</b> 12:2 76:20 <b>badge</b> 24:9 <b>badly</b> 236:2 237:11 <b>bag</b> 69:13 <b>Bakers</b> 260:5 <b>ball</b> 136:10 203:10 <b>ballot</b> 276:18,19 <b>ballpark</b> 117:7 142:19 161:4 <b>balls</b> 233:9 <b>bandied</b> 240:2 <b>bang</b> 56:23 <b>banished</b> 224:23 <b>Barone</b> 90:24 <b>Bartemio</b> 96:15 <b>based</b> 15:10,16 18:22 35:3 36:9 38:1 57:4 66:17 100:12 135:22 136:19 209:12 222:13 272:15 275:8 276:9,11 276:22 285:12 <b>basic</b> 289:10 <b>basically</b> 44:15 237:19 <b>basis</b> 35:20 45:17 60:20 86:17 128:3 155:11 156:6 238:21,21	239:1,1,2 290:16 <b>Bates</b> 147:2 <b>bathroom</b> 188:15 <b>bearing</b> 196:3,18 <b>bedroom</b> 57:8 <b>beginning</b> 63:14 69:18 242:10 <b>behalf</b> 2:11 3:6,12 123:12 191:3 <b>belief</b> 86:17 87:19 209:12 288:2 290:16 <b>believe</b> 11:24 26:17 39:19 41:20 43:14 73:18 92:8 95:11 98:12 101:22 102:12 106:9,13 114:23 122:4 133:16 138:4 149:15 150:16 161:14 161:17,21 162:18 192:22 199:24 205:1 206:20 207:24 209:3,5 211:9 212:7 213:8,19 214:10 215:9 216:6,13 221:9 221:20 223:10 223:15,19,21 224:14 226:21 226:23 227:8 230:17 245:21 256:5 261:4,18 262:6,10 264:7 265:7 266:22 273:2,3 275:24 281:14 283:2,9 287:8,12 289:4,9 <b>believed</b> 41:1 <b>benefits</b> 149:1	151:1 <b>Berkley</b> 282:12 <b>Bersani</b> 2:17,20 4:7 21:2 31:12 37:8,10 106:24 107:6,10,17,21 125:18,22 126:4 126:8,14,19,22 126:24 127:1,6 127:10,13,21 128:5,7,16,24 130:11 158:11 190:1 199:11 202:22 215:18 231:1 235:17 236:8,12,18 237:15 238:4,8 238:15 239:17 248:20 250:2,5 251:9,18 253:15 254:8 256:7 262:7 273:23 275:9 276:2 285:8 288:10 291:2,5,16 292:15 293:9 <b>Bersani's</b> 129:13 <b>Berwyn</b> 3:3 <b>best</b> 7:22 34:7 38:9 59:10,16 83:16 94:21 101:18 120:23 222:14 230:15 280:9 <b>better</b> 58:17 95:12 280:12 <b>beyond</b> 72:13 102:15 <b>biased</b> 83:13 <b>big</b> 99:1,2 240:9 291:14 <b>binder</b> 20:12 154:16 184:6 <b>birthday</b> 204:23 204:23	<b>bit</b> 63:21 64:7 117:13 197:1 203:22 <b>black</b> 45:20 49:17 58:7 90:13 106:6 219:13 257:24 <b>blackface</b> 105:23 <b>blah</b> 203:12,12,12 <b>blatant</b> 96:23 <b>blind</b> 77:22 78:1 <b>block</b> 89:17 269:6 <b>blocked</b> 117:9 <b>blown</b> 57:2 58:18 <b>board</b> 11:6,9 12:5 38:23 39:9 146:5 185:16 189:6,8 190:11 191:4 194:3,9 222:21 273:9 281:14 286:13 286:13,13 287:8 287:15 <b>board's</b> 156:20 <b>boat</b> 74:9,10,15 74:16 78:4 <b>Bobby</b> 224:7 <b>book</b> 17:1 137:9 137:10,11 150:1 151:13 163:8 <b>books</b> 211:7,18 <b>booth</b> 211:23 <b>bordering</b> 119:22 <b>born</b> 92:7 <b>bothers</b> 222:12 <b>bottom</b> 44:18 281:3 <b>bought</b> 51:10 90:9 91:13,17 <b>bound</b> 164:10 165:10 166:10 167:10 168:10 169:10 170:10 171:9 172:10	173:10 174:10 175:10 176:10 177:10 178:10 179:9 180:9 181:2 <b>box</b> 77:17 <b>boys</b> 100:23 <b>brain</b> 211:1 <b>bread</b> 115:18 <b>break</b> 8:2,4,8 32:16 33:3,8,8 33:10 61:2 72:22 73:3 105:1,6 157:16 183:13,15 188:11,21 229:10 231:11 <b>breakfast</b> 79:22 79:24 82:24 111:9 144:9 <b>Brian</b> 240:10,12 240:15 243:16 243:18 272:22 278:20 279:10 284:18 <b>Brief</b> 32:19 <b>bring</b> 191:18 <b>bringing</b> 197:24 <b>brings</b> 89:13 <b>broad</b> 158:24 <b>broke</b> 115:18 <b>brought</b> 74:20 90:16 95:3 104:17 187:18 198:16 <b>BS</b> 213:2 <b>buddies</b> 30:8 <b>building</b> 88:8 215:14,15 218:18,19 220:9 280:12 <b>bunch</b> 46:18 69:3 255:6 <b>burning</b> 211:14
--	--	--	---	--

John Scatchell, Jr.

August 5, 2020

Page 303

<b>bus</b> 93:4	138:1 159:17	28:8 30:3,18	272:18 273:11	295:7 296:7
<b>business</b> 29:24	206:13 230:2	32:1,13 33:9,13	273:15 274:14	297:7 298:19
68:2 281:2	258:1	35:12 39:5,24	285:11 288:12	<b>Castellan's</b> 51:1
<b>bust</b> 233:9	<b>cameras</b> 122:7	41:10 42:3,19	290:24 291:8	89:9 282:8
<b>buy</b> 137:6	124:15 277:17	47:17 50:4,14	292:13 293:10	<b>caught</b> 181:10
<hr/>				
<b>C</b>	<b>Campanili</b> 88:14	52:10,20 60:23	<b>Cass</b> 2:10 72:21	<b>cause</b> 298:12,24
<b>C</b> 1:7 2:1 3:1 6:17	<b>candidates</b> 95:12	62:20 63:1 66:7	72:24 128:17	<b>cavalier</b> 72:1
6:17,20 231:14	283:5,5	66:22 70:4	181:10 198:14	<b>caveat</b> 114:2
272:20 285:10	<b>candidly</b> 190:5	72:11 75:18	198:20	<b>cell</b> 124:21
291:4 294:8	<b>capacity</b> 119:20	76:2 77:7,10	<b>Castellan</b> 1:8 3:16	<b>center</b> 98:20
295:6 296:6	253:11	81:8 104:24	17:19 20:4	104:5 111:1
297:6 298:2,18	<b>Caputo</b> 12:9	107:15,19	52:18 65:21	<b>certain</b> 50:21
<b>C-H-A-N-E</b>	38:24 282:23	108:15 109:8	67:14,23 68:14	73:19,23 226:22
265:14	287:13,21 288:9	119:1 121:17	68:18 69:6 70:1	235:4,4 243:12
<b>Cacciatore</b> 278:2	289:6 290:4	126:11,17,21,23	70:8 71:13	271:16,19,21
<b>Cafe</b> 79:22 144:10	<b>car</b> 60:14 95:4	127:2,8,11,17	73:10 78:8,10,18	298:12
<b>caliber</b> 57:20	201:16 223:3,16	128:2,3,6,13,22	78:22 79:19	<b>certainly</b> 35:21
<b>call</b> 19:17 20:22	223:23	134:14 140:7	80:8,13,17 81:5	48:8 98:4
21:2 49:14	<b>card</b> 11:16,22	144:15 145:23	81:17,21,23 82:8	109:17 187:19
67:18 69:2 84:4	12:1,3 287:19	146:6 147:1	82:10,13 83:3,6	189:10 207:5
84:24 85:9	<b>care</b> 51:21 94:6	149:2 150:19	85:4,21 87:2,9	<b>certification</b> 91:6
91:14 96:17	103:19 108:6	152:19 153:21	87:20 88:2 89:3	<b>certified</b> 91:4
160:22 208:18	123:21 265:2	154:12 156:4,4	92:22 93:12,18	<b>certify</b> 294:11
217:15 227:6	282:3	156:21 159:1,14	96:7,22 97:6,15	298:6,21 299:8
240:20,21 241:5	<b>career</b> 203:15	162:15 182:2	100:2 101:8	299:11,15
241:11,16	217:16 268:24	183:11 186:16	102:5 114:3,6,12	<b>chain</b> 132:24
242:12,22,23	<b>Carfax</b> 224:1,3	186:22 187:13	114:20 130:9	133:2 223:11
243:3 244:4	<b>Carol</b> 51:2 89:18	187:24 188:18	131:7 134:10	<b>chair</b> 121:16,20
245:2,6 247:14	90:8 91:19	188:24 189:12	135:19 143:20	242:24
258:1 269:19	<b>carried</b> 211:8	189:21 190:5	144:4 147:13,17	<b>challenging</b>
271:14 276:15	<b>carrying</b> 76:15	194:23 195:12	148:2,9,13,18	156:19
276:16 291:14	77:16 181:21	195:22 196:7,11	197:20 222:21	<b>chance</b> 19:20
291:15	<b>case</b> 7:4,6 54:2	196:13,24 197:6	223:2,7,16,20	21:10 135:6
<b>called</b> 1:13 6:18	84:18 104:17	198:24 199:6,13	225:2,10,17,24	<b>Chane</b> 265:8,9,12
14:23 19:12	123:21 156:12	199:19 205:17	233:14 238:12	267:10 278:22
48:15 86:12	187:6,21,22	214:15 230:1	239:15 245:21	280:21
92:20 146:12	189:6,8,10,16,22	231:5,15 235:20	246:10,19,21	<b>change</b> 255:14
217:13 221:21	190:11 191:4	236:21 237:1,6	247:1,12,16	285:2,5 295:12
232:7 257:2	207:23 230:22	237:16 238:14	251:5 269:24	295:14,16,18,20
261:23 298:12	<b>cases</b> 76:16 136:9	241:20 242:5	270:5,16 271:17	295:22 296:12
<b>calling</b> 46:17,18	<b>Casper</b> 2:10 4:4,6	248:22 250:9	272:1,10,16,16	296:14,16,18,20
<b>calls</b> 99:1 134:18	10:11 19:4	251:2,13,20	277:5 283:16,21	296:22 297:12
135:9 136:8	20:17,24 21:6	254:1,11,12	291:21 292:23	297:14,16,18,20
	25:17 27:18	256:11 262:13	293:2 294:8	297:22

John Scatchell, Jr.

August 5, 2020

Page 304

<b>changed</b> 19:23 223:2 226:11	106:23 110:12 114:6,12,20	3:8,11 <b>circle</b> 105:13 266:9,10,11 267:9	188:3 189:1 231:8	205:10 <b>competency</b> 40:3 42:6 134:21 135:11 136:13
<b>changes</b> 281:17 281:19 295:9 296:9 297:9	116:20,24 117:5 117:15,22 118:5 118:10,13,22	<b>circular</b> 57:22 <b>cite</b> 272:4 <b>city</b> 194:22 <b>Civil</b> 6:3 <b>civilian</b> 47:11 98:6	<b>coffee</b> 260:9 <b>colleague</b> 10:11 <b>colloquy</b> 109:10 <b>come</b> 19:24 29:1 54:21 82:19,23 93:1 94:10 98:1 142:15 209:23 234:13 256:4	<b>competent</b> 138:2 159:20 <b>competition</b> 13:24 <b>complained</b> 240:3 240:4 <b>complaining</b> 195:18 218:15 237:10 239:24 243:15,16
<b>charge</b> 114:21 115:5 116:11,21 118:15 119:6 124:7 139:22 286:5	119:12,24 120:24 123:2,7 123:17,24 124:1 124:4,10,24 125:8 130:9,17	<b>claim</b> 205:8 <b>claimed</b> 90:24 208:21	<b>comes</b> 65:18 103:17 230:5	<b>comfortable</b> 121:15 <b>coming</b> 104:5 120:10 242:3,7
<b>charges</b> 30:7 39:3 100:2 115:17 146:5 191:3 222:20 223:1 266:20	130:20 131:2,7 132:22 134:10 134:11 143:12 143:14 144:4,14 147:13,17 148:2	<b>claims</b> 89:16 104:15 208:17	<b>command</b> 132:24 133:2	<b>complaint</b> 100:8 100:11 195:17 195:21 196:3,18
<b>chastised</b> 9:11	148:9,13,18	<b>clarification</b> 20:18	<b>commence</b> 1:20	<b>complete</b> 9:21
<b>check</b> 184:13,22 294:15	197:20,21 222:21 223:1,7	<b>clear</b> 27:24 28:18 32:23 33:5,17	102:8 66:18 294:14	<b>completely</b> 46:17 49:11
<b>cherry</b> 92:19	223:15 225:2,10	43:16 76:14	<b>commander</b> 6:9 37:7 151:19 163:12	<b>complied</b> 6:9 37:7 151:19 163:12
<b>chest</b> 66:24	225:24 233:13	77:2 81:23	190:23 193:10	190:23 193:10
<b>Chicago</b> 2:3,8,15 3:10	238:11 246:19 251:5 269:20,21	95:10 96:10 98:6 100:6	<b>commission</b> 11:16 11:22 12:1,3,6	193:22 228:10 229:2
<b>chief</b> 17:19,20,20 18:9,16,18 30:7 47:7,11 52:17,18 53:8,22 54:3,5 63:21 64:7,20 65:12,21 67:13 67:23 68:14,18 69:5,6 70:1,8 71:13 72:2	269:24 270:2,3,6 270:16 271:6,12 271:14,23 272:1 272:10,10,15,16 281:24 283:16 284:2 286:10,18 286:19	103:7 117:4 132:3 135:1 140:10 148:1 150:3,15 155:22 156:4 206:7 207:3 219:8 223:10 246:20	<b>Commissioner</b> 12:8,9	<b>computer</b> 61:23 62:4,6 78:19 112:24 118:11 118:17 299:4
<b>chiefs</b> 113:13,18 133:23 134:4 274:22 277:10	<b>chiefly</b> 270:2 271:1 271:4	279:5 <b>client</b> 32:23 40:7 107:16,18	<b>commissioners</b> 11:7 148:16 222:22 273:10 281:13 282:21 286:14	<b>computers</b> 113:5 <b>concerned</b> 118:17 <b>concerning</b> 7:6
<b>child</b> 253:7	<b>choice</b> 76:20	109:16,19	<b>common</b> 205:24 220:19	17:8 19:2 43:22 46:14 52:23 144:23
<b>choose</b> 92:18	<b>choose</b> 92:18	136:12 155:10 157:14	<b>communicate</b> 8:21	<b>concerns</b> 156:12 <b>conclusion</b> 134:19
<b>Chris</b> 22:10	<b>close</b> 70:24 197:20	232:21 234:24	135:10 136:8	135:10 136:8
88:2,9,14 89:3,9 92:22 93:12,18 96:7 97:6,15 99:12,14 100:17 101:8 102:5 105:12 106:10	107:21 108:3,9 187:3,3	242:10 283:21	<b>communicated</b> 227:1	138:1 159:17 206:14
<b>Christine</b> 219:22	<b>clout</b> 217:11,13,15	217:15	<b>communications</b> 38:17	<b>condition</b> 10:1 <b>CONDON</b> 2:17
220:3,6	<b>co-counsel</b> 108:16		<b>compensation</b>	<b>conduct</b> 17:8 19:2

John Scatchell, Jr.

August 5, 2020

Page 305

289:20	<b>contact</b> 38:19	55:5,13,14,16,19	153:19,24 155:1	186:4 187:7
<b>conducted</b> 287:6	145:6	55:21,24 56:2,6	156:2 157:13	190:11 196:10
<b>conducting</b>	<b>context</b> 56:8	56:13 58:24	158:9,22 159:16	299:16
288:16	143:18 189:5	59:5,20 61:8	162:13 182:5	<b>country</b> 106:21
<b>confer</b> 104:20	<b>continue</b> 109:20	62:3,10,11,12	185:18 186:7	209:18
<b>conferences</b>	129:17 130:2	64:13 65:3	187:1,10,12	<b>County</b> 1:16
194:11	248:18	69:20 78:7,9	188:7 191:5	298:2,5,10
<b>Confidential</b>	<b>continues</b> 101:11	82:7 99:12,17	192:5,15,20	299:23
164:9 165:9	108:12	100:16 102:22	197:9,16 200:5	<b>couple</b> 8:14 40:19
166:9 167:9	<b>Continuing</b> 76:3	104:1 109:15	206:13 208:2	54:20 98:15
168:9 169:9	<b>contract</b> 150:16	143:21 209:13	228:14 279:1	103:14 154:3
170:9 171:8	150:20,23	292:23	282:17 293:12	231:24 268:20
172:9 173:9	<b>control</b> 286:15	<b>convicted</b> 10:16	<b>Cooper's</b> 109:15	281:19 282:2,3
174:9 175:9	<b>conversation</b> 8:19	15:23 16:17	<b>cooperlaw</b> 3234...	<b>course</b> 18:4 38:10
176:9 177:9	46:1,6,19,23	20:1,2 30:1,17	3:11	46:9 188:6
178:9 179:8	47:9,14,16 48:3	31:4 49:20 72:5	<b>copies</b> 19:14,18	267:24
180:8 181:1	48:6,16 49:4,6	<b>Cook</b> 1:16 298:5	<b>court</b> 1:1 6:7,10	8:17 12:16
<b>confirmed</b> 224:3	55:10 64:11,23	298:10 299:23	<b>copy</b> 19:19 22:5	36:17 123:10
<b>confused</b> 18:6	65:6 72:1 73:9	<b>cool</b> 43:2	<b>cool</b> 75:13 202:9	126:12 129:19
<b>connotation</b>	82:1 94:1,21	<b>Cooper</b> 3:8,11	<b>cordial</b> 71:12,15	153:15,17 156:8
105:19	95:15 103:6	12:12,18 13:1,5	94:5	196:9,12 202:13
<b>connotations</b> 60:3	111:6,12,16	13:9 14:6 15:8	<b>corner</b> 77:5	236:15 279:2
60:22	115:14 117:8,20	17:11 19:6 22:4	<b>Corporation</b> 1:7	294:1 298:14
<b>consecutive</b> 212:3	124:23 125:11	22:17,21 23:1	294:7 295:6	<b>courteous</b> 230:18
<b>consensus</b> 55:12	130:10,16,23	25:18 27:17,19	296:6 297:6	<b>cover</b> 164:11
208:18	143:18 144:6,7	28:5,14,24 29:9	298:18	165:11 166:11
<b>consequence</b>	187:20 188:8	29:18 30:20	<b>correct</b> 15:19	167:11 168:11
278:18	201:21 203:2,5,8	31:9 32:17,20	39:23 89:4	169:11 170:11
<b>conservation</b>	210:18 211:24	33:12,15,20 34:9	132:16 133:11	171:10 172:11
31:24 32:9	212:10,22	34:13,19 35:5	133:21 134:1	173:11 174:11
38:20	224:16 242:17	36:12 37:11,14	146:17 181:22	175:11 176:11
<b>consider</b> 14:17	252:1 255:2,16	38:3 40:2 41:12	211:15 222:1	177:11 178:11
132:20	255:20,22 256:3	42:5 45:5,13	270:1 275:21	179:10 180:10
<b>consideration</b>	256:12,15,24	47:24 50:2	286:17,20	181:3
69:18	259:13 260:3,13	51:17 76:9,18	294:13 299:5	<b>covered</b> 216:6
<b>considered</b> 134:13	260:18 264:21	88:4 108:14	<b>corrections</b>	<b>covering</b> 122:19
139:5 195:10	264:23 265:3,6	109:17 126:22	294:17	<b>CPD</b> 17:22
196:15	265:23 266:3,6	128:1 129:9,15	<b>correctly</b> 34:24	<b>created</b> 185:7
<b>considering</b>	268:6 270:24	129:22 130:4	<b>cost</b> 108:6	<b>crew</b> 246:15,17,18
195:10 197:14	271:17 272:15	131:14 134:15	<b>costs</b> 108:10,11	246:20
<b>consisted</b> 55:13	<b>conversations</b>	135:9 136:5	<b>counsel</b> 15:6	<b>Cristina</b> 3:15
<b>consisting</b> 294:12	43:21,24 44:3,6	137:16,18,24	25:16 104:24	<b>Cross-Examina...</b>
<b>consists</b> 38:23	46:9,13 49:23	140:5,9 145:1	126:17,17 147:1	4:4,6,7
<b>constantly</b> 257:21	52:22 53:6,13,17	149:4 153:13,16	153:5 156:24	

John Scatchell, Jr.

August 5, 2020

Page 306

<b>crux</b> 257:1 262:18	115:10 116:11	183:23 184:3	205:9 227:2	96:6 97:5,15
<b>CSO</b> 112:2 225:16	116:20 117:1,23	194:20 195:6	240:22 248:19	99:12,14 100:17
225:19,21,21,22	118:6 185:11	197:13 228:13	264:4,14,24	101:8 102:5
226:1 252:17	<b>daily</b> 134:7	229:5 275:23	<b>depending</b> 109:14	105:12 106:10
<b>CSR</b> 1:15 299:22	238:21,22 239:1	<b>decent</b> 10:15	<b>depends</b> 16:11	110:11 113:13
<b>ctc@talonlaw.c...</b>	239:3	<b>decided</b> 92:17	227:21	113:18 114:6,11
2:9	<b>damage</b> 58:10,14	198:3 204:7	<b>deponent</b> 3:12	114:19 116:19
<b>cubicle</b> 119:20	<b>damaged</b> 58:19	<b>decides</b> 283:2	35:9 293:14	116:23 117:5,15
<b>Cubs</b> 70:10 71:5	<b>damn</b> 102:9	<b>decision</b> 40:4,4	<b>depositeth</b> 6:19	117:21 118:4,9
71:24 73:7 82:2	<b>date</b> 21:15 26:13	156:20 204:9	<b>deposit</b> 184:14	118:13,21
272:12	27:9 73:19,21	219:19 290:9	<b>deposition</b> 1:12	119:11,24
<b>cup</b> 260:9	114:16 154:5	<b>deck</b> 277:7	4:11,12,13,14,15	120:24 123:1,6
<b>current</b> 105:24	195:4 266:17	<b>decree</b> 85:24 86:5	4:16,17,18,19,20	123:16,23 124:1
<b>custom</b> 214:12,14	<b>dates</b> 150:14	86:19 125:14	4:21,22,23,24	124:3,9,24 125:8
214:24 217:9,14	186:2 194:5	208:19 256:18	5:3,4,5,6,7,8,9	130:9,17,20
<b>customs</b> 217:10	233:23	<b>deem</b> 127:15	5:10,11,12,13,14	131:1,6 132:21
<b>cut</b> 155:2	<b>Dave</b> 93:3 101:20	<b>deemed</b> 277:5	5:15,16,17,18,19	133:23 134:4,10
<b>D</b>				
<b>D</b> 1:7 4:1 6:20	<b>Davie</b> 93:6,8	<b>defendants</b> 1:9,13	5:20,21,22,23	134:10,10
272:20 294:7	96:20 100:24	3:6 294:10	6:1,24 7:3 8:3	143:12,14 144:4
295:6 296:6	101:1 102:9	295:8 296:8	20:14 35:15	144:14 147:13
297:6 298:18	<b>day</b> 18:4 31:8,20	297:8 298:12,20	75:6 127:3	147:17 148:2,9
<b>dad</b> 42:7 44:4	44:8 47:7 54:17	<b>defined</b> 136:11	146:24 153:2,3,4	148:13,18
45:11,23 46:5,14	66:14 70:18	<b>definitely</b> 141:8	155:8 156:11	197:20,21
47:15 49:24	85:13 88:7 98:1	208:16 212:12	188:6 230:20	222:20 223:1,7
54:1 55:22	98:2 99:20	259:21	294:11,14 299:9	223:15 225:1,10
58:24 59:7 61:9	101:11 106:15	<b>degraded</b> 49:11	299:12,14	225:24 233:13
62:4,13 63:5,18	108:1,20 110:24	<b>DEL</b> 3:2	<b>depositions</b> 12:24	238:11 246:19
64:6 101:10	111:7,10 124:17	<b>delayed</b> 116:18	<b>deputy</b> 17:19,20	251:5 270:16
111:14 114:23	133:5 137:8	<b>Dennis</b> 120:14	17:20 30:7	272:9,15,16
118:11,23 119:5	143:1 144:10	<b>deny</b> 122:20	52:17,17 53:8,22	274:22 277:10
119:6,13 120:1,5	204:22 226:10	<b>department</b> 17:8	54:3,5 63:21	283:15 284:1
121:8 122:9,14	231:18 241:15	19:1,16 38:19	64:7,20 65:12,20	286:9,10,18
192:13 241:9	244:16 248:24	42:12 43:3	67:13,22 68:14	<b>derelict</b> 81:13
244:1 245:16,19	266:14 268:1,2	44:14 45:20	68:17 69:5,6	138:24 139:13
246:11 248:12	270:23 294:21	49:16 50:19	70:1,8 71:13	139:21 140:3
252:1 254:6	298:7 299:21	51:24 59:17	72:1 73:10 78:7	141:3 142:3
264:16 267:17	<b>days</b> 220:22	63:22 65:10	78:9,18,21 79:13	218:9 249:19,23
267:18 268:22	227:18	66:20 71:10	79:18 80:7,13,17	250:18 263:19
275:14,15,16,17	<b>dayshift</b> 84:7	93:14 96:9	81:4,12,17,20,23	<b>describe</b> 237:17
278:3,5,7,9,12	<b>deal</b> 291:14	113:14 125:15	82:8,9,12,14,19	<b>described</b> 247:21
278:17	<b>deceit</b> 52:4	134:5,12 144:23	83:2,5 85:20	<b>describing</b> 236:1
<b>dad's</b> 59:15	<b>December</b> 10:18	145:6,15 148:24	87:2,8,19 88:2	<b>descriptive</b> 56:20
	11:11,19 16:23	149:13 152:9	88:13 89:2,9	63:10
	17:5 182:11	158:8,20 183:21	92:21 93:11,17	

John Scatchell, Jr.

August 5, 2020

Page 307

<b>deserve</b> 160:24 235:2	141:15,18,24 142:2,10,12	<b>disagreed</b> 203:20 <b>discharge</b> 219:19 <b>discipline</b> 41:9,24 42:17 135:8 136:2,3,21,24 137:3 138:9	277:4 280:8,13 284:13 285:15 294:2 298:15 <b>divisions</b> 284:12 285:23	265:1 266:12 270:13,18 <b>doors</b> 112:13 <b>double</b> 135:20 <b>doubt</b> 64:17 <b>dozen</b> 97:4 194:4 <b>Dozens</b> 238:19 <b>Dr</b> 155:14 <b>drawing</b> 18:17,20 <b>driveway</b> 56:4,17 56:23 57:2 58:10,12
<b>designed</b> 196:5	143:7,22 144:2			
<b>desk</b> 124:21 217:5	144:11,19			
<b>desks</b> 121:12 227:6	257:18,19 263:20			
<b>despite</b> 43:4	<b>Dino's</b> 142:15	<b>disciplined</b> 41:2 158:8 226:20,22 226:24	<b>doctor</b> 155:15 163:16	
<b>detail</b> 28:20	260:22		<b>doctors</b> 69:21 152:8	
<b>detective</b> 51:6	<b>direct</b> 4:3 42:21 79:1 132:20 136:22 137:15 201:12 211:16 220:1,5 284:11	<b>discovery</b> 1:12 196:5	<b>document</b> 20:7,15 21:22 23:5,13,18 24:1,13,15,22	
<b>detectives</b> 90:20 285:18	<b>directed</b> 107:11	<b>discretion</b> 149:17	25:7,22 26:20 27:3 36:21 75:1	
<b>determination</b> 290:6	<b>direction</b> 63:23 65:19	<b>discriminated</b> 49:13	75:8 138:18 146:19 147:4	
<b>Devon</b> 90:14,18 96:11 208:8 209:16 221:1	<b>directly</b> 87:5 129:2 201:14 224:7 239:21 243:3 262:10	<b>discriminates</b> 49:16	149:20 150:6 151:9,16 152:3	
<b>dies</b> 217:16	<b>director</b> 17:19	<b>discrimination</b> 49:15	152:10 163:1,9	
<b>difference</b> 11:17 109:12 161:6 214:11 262:21	46:16 47:10 53:23 54:8,13 55:1 60:1 69:5	<b>discuss</b> 59:7	184:17 190:15	
<b>different</b> 8:19 11:15 181:21 194:5 211:22 233:23 247:23	70:23 79:14 97:18,20 98:9 99:18 102:23 103:2,8 104:2	<b>discussed</b> 38:1 53:4,18 56:1 59:6 63:20 262:5	190:20 193:2,7 193:14,19 198:6	
<b>differently</b> 15:15 16:3 110:6,9 139:9 140:20 185:14	105:10 106:11 109:23 110:7,10	<b>discussing</b> 115:22 244:15 261:11 261:17	223:12 228:1,7 228:18,23	
<b>differs</b> 219:17	<b>discussion</b> 45:17		<b>documentation</b> 153:9	<b>E</b>
<b>difficult</b> 109:4	64:5 73:12		<b>documented</b> 159:5	<b>E</b> 2:1,1 3:1,1 4:1,8 5:1 6:17,20,20
<b>Dimaio</b> 54:1 60:11 137:2 142:1,2,12 143:7 143:22 144:2,11 257:18,19,23 258:6,13 259:2 261:7,15,23 263:7,10,20	110:16,21 111:4 112:8,17,20,23 113:8,22 115:3,9 115:11 116:8,10 131:11 132:22 134:11 140:11 143:23 149:17 160:15 203:20	<b>discussions</b> 63:5 63:18	<b>documents</b> 49:1 198:12,15 199:1 200:19 202:16	231:14 272:20 272:20,20
<b>Dimaio's</b> 135:17 161:16	222:9 238:12 284:6,21 286:19	<b>disk</b> 26:4	<b>doing</b> 7:22 14:3 35:23 54:24	285:10,10 291:4
<b>Dino</b> 54:1 60:11 111:9 124:17,24 125:11 130:10 130:17 141:9,13	<b>dirty</b> 97:4 197:24	<b>disparate</b> 92:20 226:18	72:7,9,9 88:9 91:7,8 94:13	<b>earlier</b> 12:10 103:5 105:14 114:16 135:4 145:20 146:3 194:2 208:5 239:7 275:13
	<b>dis-</b> 137:1	<b>display</b> 57:19	119:17 122:10	<b>early</b> 105:23
	<b>disability</b> 91:1	<b>distorted</b> 244:14	135:4 161:3	125:7 232:2
	<b>disagree</b> 196:20	<b>District</b> 1:1,1	183:8 192:24	244:5 252:21
		294:1,2 298:14 298:14	223:7 230:15 254:11 271:2	260:23,24
		<b>distrust</b> 106:21	289:13	<b>earth</b> 224:24
		<b>division</b> 1:2 82:20	<b>Donna</b> 51:10	<b>Eastern</b> 1:2 294:2 298:15
		118:16 124:8	<b>door</b> 58:5 103:16	<b>easy</b> 163:6
		273:22 274:6,9	104:9,10,16	<b>EOC</b> 114:21,23

John Scatchell, Jr.

August 5, 2020

Page 308

115:5,10 116:11 116:13,21 139:22 <b>effect</b> 70:16 150:13 219:12 264:15 268:7 <b>Eh</b> 18:4 44:23 <b>either</b> 44:17 92:4 115:24 135:21 144:8 157:8 216:16 219:22 231:4 232:19,21 234:21 235:6 258:11 262:16 267:21 277:5 289:3 <b>elbow</b> 60:15 <b>election</b> 235:5 <b>Elmwood</b> 197:15 <b>emphasize</b> 189:16 <b>employed</b> 10:18 13:13 19:15 28:13 29:23 30:16 31:3 92:10 148:23 <b>employment</b> 27:16 28:1,1 30:10 194:16 196:15 217:22 219:16 <b>Empty</b> 160:20 <b>enacted</b> 66:11,12 <b>encounters</b> 257:24 <b>ended</b> 161:16 <b>enemies</b> 246:7 250:22 <b>enforcement</b> 70:14 71:9 145:7 257:4 <b>engage</b> 210:4 <b>engaged</b> 209:16 222:6 <b>engaging</b> 237:24	<b>enjoying</b> 62:24 <b>entertained</b> 197:19 200:18 <b>entire</b> 45:18 59:14 61:20 93:14 96:9 108:7 119:7 137:7 233:3,7 234:3 <b>entirely</b> 154:20 <b>entities</b> 196:16 <b>entitled</b> 196:6 <b>errata</b> 294:16 295:1 296:1 297:1 <b>especially</b> 20:4 133:4 197:22 244:14 248:2 283:10 <b>Espinosa</b> 208:12 213:7 221:1 <b>Esposito</b> 12:8 38:24 282:22 287:13,22 288:9 <b>establish</b> 36:1 48:15 <b>established</b> 32:14 <b>estimate</b> 233:24 <b>euphemisms</b> 106:17 <b>evening</b> 40:21 260:11 <b>events</b> 223:11 261:19 <b>everybody</b> 9:9,17 44:7,9,11 65:17 67:18 68:21 71:17 84:5,6,7 86:2,8 90:6 96:10,11 113:5 119:16 121:5 209:20 217:11 226:10 227:1 233:8 245:3	267:16 271:3 289:17 127:14 129:3 <b>everybody's</b> 59:16 35:8 36:10 37:18 57:23 96:23 223:18 <b>evidence</b> 32:22 37:18 57:23 96:23 223:18 <b>evident</b> 224:2 <b>ex</b> 69:20 <b>exact</b> 61:3 86:11 125:11 154:5 197:22 205:20 226:17 247:20 263:13 <b>exactly</b> 49:1 84:20 85:20 91:2 98:18 112:7 120:23 135:1 203:5 217:6 223:11 225:17 276:20 <b>examination</b> 1:14 4:3,5 252:22 <b>example</b> 140:11 154:15 157:3 207:16 227:4 270:11 271:17 286:6 <b>exasperate</b> 58:16 <b>exchange</b> 124:17 <b>exciting</b> 291:11 <b>excuse</b> 35:13 102:10 107:4 126:23 128:13 <b>excused</b> 293:13 <b>exemption</b> 208:19 <b>exercise</b> 154:9 155:11 <b>exercised</b> 207:8 <b>exercising</b> 205:15 220:17 <b>exhibit</b> 4:11,12,13	<b>explained</b> 201:17 <b>explaining</b> 144:5 <b>explosion</b> 56:17 57:11,12 81:7 <b>explosive</b> 56:4 <b>expound</b> 61:11 <b>express</b> 207:7 <b>extent</b> 36:8 37:17 134:6 230:2 <b>extra</b> 30:9 <b>extrapolate</b> 144:8 211:2 <b>extrapolated</b> 279:6 <b>eyes</b> 60:1,4,6,9,21 105:14 106:16
<b>F</b>			
<b>F-E-I-E-R-E-I...</b> 155:23 <b>F-O-G-G</b> 265:14 <b>face</b> 93:15 96:23 98:21 160:8 212:17 224:23 <b>face-to-face</b> 82:1 <b>Facebook</b> 122:12 <b>fact</b> 14:17 55:8 59:13 80:23 156:5 190:13 218:20 222:10 240:1 243:5 285:2 <b>facts</b> 32:14,21 35:7 36:9 37:18 238:8 248:4 283:1,15 284:1,5 <b>fail</b> 283:10 <b>failed</b> 283:6,7 <b>fair</b> 7:23,24 25:14 63:13,13 117:14 135:3 140:15 211:14 <b>fairly</b> 10:15 130:18			

John Scatchell, Jr.

August 5, 2020

Page 309

<b>fall</b> 16:1,20 74:1,4 74:8 183:19 275:23,24	250:20 251:7,23 253:3 254:20 255:1,17,19,19	28:14,16 29:5,11 29:13,18,20 30:21,24 31:5	<b>find</b> 283:9 <b>fine</b> 33:11 188:16 188:17	275:5 281:11,20 298:22
<b>familiar</b> 14:5,13 14:14,15,22 15:22 27:11 41:16 131:21 155:23 182:14 182:19,22	256:4,13,14,20 268:14 275:4,7 277:8 279:6 280:17,22 291:6 291:18 292:1,11 292:20 293:6	32:4,4,11,12,24 34:10,12,14,20 34:22 35:4,11 36:2 38:2,9,14 38:21 40:20,23 41:3,14 74:3,7	<b>finish</b> 9:4,6 60:5 68:16 97:22 98:4 127:4,9,12 199:18 210:15 233:4 235:13 238:23 241:14	209:15 218:4,24 223:6 224:4,11 226:3
<b>family</b> 14:16 51:8 96:2	<b>father's</b> 65:22,23 78:23 79:20 82:14 105:11 109:24 111:5 112:24 113:9,23 114:13 124:1 138:24 139:14	74:11,13,18,22 75:21 76:1,12,17 76:21 77:15,18 77:23 78:2,5 87:22,24 145:8 145:10,11,13,18 145:22 146:14	<b>finished</b> 47:12,13 <b>finishes</b> 292:17 <b>fire</b> 11:6 12:5 51:24 115:13 210:10 222:21 237:22 256:16 273:9 286:14	116:16,17 132:5 132:15 215:3 229:7 280:4 282:11,13 289:17,19,21,23
<b>far</b> 62:23 155:9 197:3 207:20,21 222:12 242:15 246:3 272:14 292:5	140:3 141:4 142:4,13 143:9 144:13 229:16	146:18 147:8,11 147:15,20,22,24 148:8,12,17,21	<b>fired</b> 49:18 90:13 90:18 208:9,13 209:19,21	226:3
<b>fashion</b> 108:22 234:16,16,18 249:19	<b>favor</b> 86:13	151:2,5,8,22	215:17 217:23	<b>Flores</b> 278:4
<b>faster</b> 22:6	<b>February</b> 151:3 267:6,8	152:2,13,18	217:24 218:7,13	<b>focus</b> 216:21
<b>father</b> 14:18 41:24 42:16,24 43:12 43:16,22 44:1,7 44:9,17 45:19 46:24 49:5 52:23 53:7 55:6 55:16 56:3 60:4 60:10 65:1,5 66:11,13 67:24 68:19 69:14 70:2,9,13,17,24 71:22 78:19 79:3 80:9 81:22 103:6 105:16,17 110:2,11 111:9 112:18 113:4 114:21 115:4 118:14 120:17 139:22 141:19 141:21 142:16 207:15 217:7 221:24 232:17 232:22 235:3 247:1 249:19	<b>federal</b> 6:2 85:24 86:5,19 125:14	153:7 154:10,22 155:5,16,21 156:1,6 157:7	<b>firefighter</b> 86:13 212:18,20	<b>focusing</b> 78:8
	<b>feel</b> 9:11 229:23	158:1,5 162:23	<b>fireman</b> 86:9 212:7,16,18	<b>Fogg</b> 265:10,12 267:10,21 278:22 280:21
	<b>feet</b> 58:15,22	163:18 181:17	<b>firemen</b> 102:20	<b>follow</b> 7:9 17:14 269:19
	148:5 237:21	181:20,23 182:5	<b>firework</b> 57:19	<b>follow-up</b> 58:1 232:1
	<b>Feiereisel</b> 155:18	182:7 183:10,22	<b>fireworks</b> 56:3,17	<b>followed</b> 19:8 262:10
	<b>fellow</b> 238:15 257:13	184:1,5,11,16 185:1,5,9 186:15	<b>firing</b> 13:20 92:17	<b>following</b> 73:3 105:6 157:16 188:21 229:10
	<b>felon</b> 15:23 30:1 30:17 31:4 49:20	186:24 193:13 194:1,8,13,18 228:15,17 229:6	<b>firm</b> 10:21 292:5	231:11 295:9,10 296:9,10 297:9 297:10
	<b>felons</b> 20:1,3 72:5	231:20	<b>first</b> 6:18 48:18 75:15,24 88:1	<b>follows</b> 6:19
	<b>felony</b> 10:16 16:17	<b>fight</b> 105:22 251:1	94:4 160:15 184:7 190:2,6	<b>food</b> 137:6
	<b>felt</b> 135:22 280:11	<b>figure</b> 280:15	205:16,24	<b>football</b> 106:1
	<b>female</b> 86:13 259:24 260:1	<b>file</b> 205:8 285:19	206:10,15,19	<b>FOP</b> 71:18 133:15 133:20 141:17
	<b>fences</b> 71:19	<b>filed</b> 114:23	207:8 209:3,16	150:5 204:7,10
	<b>field</b> 77:21 106:2	116:13 185:21	210:3 213:8,19	261:16 263:2
	<b>Fifth</b> 14:8,24 15:2	191:3 222:20	215:2 216:7	275:20 277:2
	15:14,21,24 16:9	254:14,16,17	220:17 222:6	<b>force</b> 106:7,19,22
	16:18,22 17:3,6	255:24	240:10 242:24	<b>forced</b> 17:21,21 96:13 207:18,24
	17:10 18:11	<b>filings</b> 114:21 115:4 139:22	249:6,12,15 262:4 267:3	

John Scatchell, Jr.

August 5, 2020

Page 310

208:8,11 210:21	<b>Fowler</b> 2:16 4:3,5 6:1,21 12:20 13:3,7,10,11 14:12 15:6,9 18:1 19:10 20:10,22 21:4,8 21:9 22:1,9,19 22:23 23:2,9,21 24:5,18 25:3,10 25:16,19 26:5,23 27:8,23 28:11,17 29:7,14,21 30:12 31:1,14,21 32:6 33:7,16,23 34:15 34:23 35:21 36:7,18 37:1,9 37:13,15 38:11 38:15 39:10,13 39:20 40:17 41:15 42:14,23 44:24 45:10,21 47:21 48:7 50:5 51:12 52:1,21 61:5 63:3 67:1,4 67:21 69:19 70:6 72:18,23 73:6 75:4,12,22 76:6,13 77:1,8 77:11 81:15 83:18 84:9 88:10 105:4,9 108:3,9 109:5,11 109:21 119:10 121:19 125:24 126:10 129:21 130:1,7,12,14 131:20 134:23 135:13 136:17 137:21 138:14 140:14,16 144:21 145:4 146:2,8,22 147:3 147:6 149:8,23 150:11,22	151:12,20 152:6 152:14 154:12 155:13 157:19 157:21 158:18 159:2 160:1 162:19 163:4,13 181:9,12 182:3,8 183:18 184:20 186:1,11,19 187:3,11,19 188:4,9,13,16 189:7,19,23 190:8,18 191:1 191:11,17,22 192:11,19,23 193:5,11,17,23 195:5,16 196:4 196:19 197:4,10 198:2,9,14,19 199:2,9,17,22 200:9 202:3,18 202:24 203:1 205:22 206:22 208:23 214:21 215:23 228:4,11 228:21 229:3,7 229:13 230:3,22 231:9 239:7 252:22 254:24 272:21 274:4,19 275:11 276:4 279:8 282:19 285:6 293:11 <b>fragments</b> 57:17 <b>frankly</b> 156:23 <b>frayed</b> 57:19 <b>free</b> 206:19 210:5 218:12 <b>frequently</b> 257:22 <b>friend</b> 14:16 51:1 59:10 89:10,11 222:14 250:20 277:5 280:16 <b>friendly</b> 271:3	<b>friends</b> 44:16,17 52:18 83:9 97:1 197:20 227:21 234:24,24 236:6 236:11 245:16 245:19 247:2 280:9 283:18 <b>friendship</b> 237:20 <b>front</b> 96:24 148:15 150:1 151:13 223:13 223:14 239:14 239:19 <b>fuck</b> 103:16 <b> fucking</b> 47:7 59:11 259:8 <b>full</b> 149:14 <b>fun</b> 14:1 <b>funny</b> 50:18 <b>further</b> 102:14 153:11 203:21 285:9 293:14 298:21 299:8,11 299:15	<b>Gene</b> 278:2 <b>general</b> 8:6 <b>generally</b> 13:23 14:4 181:24 <b>generous</b> 148:24 149:5,11 <b>genitalia</b> 215:16 <b>gentlemanly</b> 108:22 <b>gentlemen</b> 287:15 <b>George</b> 11:16 287:19 <b>Gepetta</b> 71:21 204:18 283:20 <b>getting</b> 44:8 60:8 82:21 197:2 242:13 266:16 <b>gia@lawfirm.gs</b> 2:4 <b>Gianna</b> 2:2,5 185:16 186:12 186:18,20 191:24 192:12 192:16,18 <b>gift</b> 95:3,9 <b>gifts</b> 89:13 <b>Gil</b> 208:12 213:7 221:1 <b>gist</b> 236:5 <b>give</b> 6:11 7:4,16 9:21 10:2,7 12:2 17:22 18:22 19:21 22:23 32:18 83:17 84:13 105:2 135:6 247:4 266:23 292:5 <b>given</b> 8:12 24:13 34:1 54:5 81:12 85:12 114:14 115:17 146:17 52:16 <b>gather</b> 199:16,19 <b>geese</b> 181:22
-----------------	--	---	--	--

John Scatchell, Jr.

August 5, 2020

Page 311

<b>glad</b> 181:10	15:17 16:4,9	<b>289:10</b>	<b>guy</b> 43:2 58:1	187:4 199:6,7
<b>glance</b> 198:11	17:13 18:13	<b>Google</b> 89:23 90:1	82:18 93:22	236:8,12 250:2
<b>glanced</b> 199:24	20:20 22:7	90:2,10 91:23	95:1,11 98:21,22	292:16,16
<b>Glen</b> 51:2 90:7	32:10 35:3,12	95:20	99:1,2 125:17	<b>hanging</b> 253:19
92:4	36:2 37:23 38:7	<b>goose</b> 181:24	213:2,2,3 224:14	<b>happen</b> 50:18
<b>go</b> 8:3 12:4 16:13	44:21 56:19	182:4	227:17 256:6	72:2 120:4
16:20 17:4	60:5 61:17,22	<b>grabbed</b> 71:20	281:1 283:9	262:3
18:21 19:19,21	63:23 64:10	<b>grade</b> 253:20	<b>guys</b> 19:17 30:6	<b>happened</b> 34:18
22:6 23:1 34:19	69:8 72:15	<b>grandfather</b> 115:7	54:22 65:10,11	36:5 56:16,21
36:3 41:12	73:18 76:11	115:10,12,24	69:2,3,13,17	71:19 86:15
44:19 50:12	78:13 82:18,19	183:24 184:4	72:4,7 90:13,16	116:14 202:8
51:16 57:13	82:23 84:2	<b>greater</b> 207:20	90:17 91:6	216:16 217:9
60:12,19,23	106:20 107:13	<b>Greg</b> 224:21	92:12 108:5	224:21 279:15
65:19 71:24	108:1,4,12 109:2	<b>grew</b> 92:8 104:14	120:10,12,16	279:17 280:5,20
76:11 82:5	109:2 112:14	255:12	122:23 143:11	<b>happening</b> 72:4
90:10 91:15	120:17 122:9,22	<b>grievance</b> 48:18	143:13,14 162:2	<b>happens</b> 9:9 281:5
92:13 97:23	122:23 128:20	131:8,13 132:2	182:19 188:12	<b>happy</b> 115:1,2
101:16 102:14	129:16,22,23	254:14,16,17	208:7,9,11	202:23
107:24 118:2	130:1 132:23	255:24	209:19,21 226:7	<b>hard</b> 195:13 283:9
122:8 130:6	134:17 143:12	<b>grievances</b> 44:5	233:10 234:10	<b>Harlem</b> 3:3
132:11,23	160:9 161:20	45:12,23 46:10	234:10,22 245:9	<b>Harlo</b> 210:8 212:1
137:17 144:10	162:9 182:20	46:15 50:1	248:1 266:10	212:2
160:16 163:7	186:16 187:8	104:19 131:3	284:9 291:19,20	<b>Harpo</b> 51:21
184:3 188:14	196:22 197:23	198:22 200:10	291:22	52:13,15 89:6,7
195:1 197:1	197:23 202:19	200:12,17,21	<b>H</b>	<b>hated</b> 125:11
201:19 202:21	202:20 203:23	201:15 203:19	<b>H</b> 4:8 5:1 6:17,17	<b>he'll</b> 67:16,17
204:6 208:4	231:22 236:18	204:3,13,21	92:7	241:8
216:3 219:6	237:21,22,24	205:3	<b>H-I-L-G-E-N</b>	<b>head</b> 8:21,22
231:22 244:5	243:20 244:15	<b>ground</b> 7:9	101:5	28:21 50:9
248:5 250:3,4,4	246:23 247:22	104:13,13	<b>half</b> 57:3,18 194:4	128:6 159:8
255:15 256:10	247:24 252:12	<b>group</b> 3:2 67:16	<b>hallway</b> 252:16	201:1,8 220:3,7
266:21 268:23	259:8 263:13	79:22 250:20	270:24	263:21
281:10 285:24	264:19 270:20	<b>groups</b> 74:5	<b>hallways</b> 54:16	<b>hear</b> 7:11 28:18
287:9 290:22	270:21 278:14	<b>growl</b> 182:20	120:2,8	52:5 67:22 68:4
291:9,9	279:19 280:1	<b>guarantee</b> 252:12	<b>hand</b> 6:8 13:18	68:14,17 70:7
<b>God</b> 6:13 55:2	289:12,14,15	<b>guess</b> 57:4 71:15	66:24 299:20	78:17,21 79:18
85:15 122:6	<b>gold</b> 252:13	105:19 219:14	<b>handed</b> 20:11	79:24 80:7,13
128:8,10	<b>good</b> 9:13 10:12	242:2 246:5	<b>handing</b> 75:5	84:8,24 85:20
<b>goes</b> 40:3 44:13	10:13 43:4	290:3	<b>hands</b> 276:17	100:3 101:16
62:23 138:10	51:21 52:18	<b>guessing</b> 209:11	<b>handwriting</b>	111:22 112:7,14
229:20 256:16	71:16 83:9	<b>Guide</b> 14:23 15:4	23:12	113:17,20
290:6,20	90:15,15 108:16	15:12,18	<b>hang</b> 30:3 44:19	114:24 116:18
<b>going</b> 8:3 9:8 13:2	160:9 183:17	<b>gun</b> 54:18 66:12	72:11 77:7	123:16 127:3
14:8,9 15:2,10	231:16 283:22	66:14 76:16		143:22 144:2,11

John Scatchell, Jr.

August 5, 2020

Page 312

153:18 196:10 218:21 233:13 233:17,20 234:1 238:17,20 239:1 239:4,18,23 240:15 243:18 244:7,18 245:5 245:23 246:9 247:1,11,15 248:15,18 251:6 252:7,19,24 253:10,22 254:3 254:19 257:6 258:12 259:1 261:23 263:9 264:9 266:3,6 267:14 268:7 272:9 284:16 <b>heard</b> 7:20 41:7 57:10,11 65:20 68:1,7,12 69:24 78:9,12 80:17 81:4,17,20 82:12 83:2,5 84:7 85:11 87:2,8 103:1,8 105:10 105:17 109:23 110:2,10,15,20 111:3 112:2,11 112:16,22 113:7 113:21 114:11 114:19 115:3 116:7,10,17,19 116:23 117:15 117:21 118:4,9 118:21 119:11 119:24 120:2 123:1,6,23 124:3 124:9 131:1,6,11 131:24 132:14 138:22 139:11 139:19 140:1 141:1,12,13 142:2,11,14,18	142:20 147:16 190:2,4,6 203:22 203:24 218:17 225:1,4 232:24 240:8,10,18 241:16 242:11 242:16 243:20 246:12 247:5 249:12,15 251:15,22 252:22 253:1,6 253:14 257:22 258:6 260:22 261:14,15 263:7 263:17,17,18 265:7 267:2 268:4,22 269:9 269:23 272:13 284:21 285:4 291:6,17,24 293:5 <b>hearing</b> 39:21 110:3 113:2 130:9 132:9 146:4,16 147:12 147:16 194:3 211:10 248:9 249:7 260:20 261:3,9 262:22 263:4 274:11 <b>hearings</b> 38:22 39:2 98:20 194:9 <b>hears</b> 67:18 84:5 <b>heated</b> 124:17 130:18 <b>held</b> 73:4 105:7 157:17 188:22 229:11 231:12 240:21 241:12 241:16 271:10 <b>hell</b> 61:22 255:7 <b>help</b> 6:13 85:15 117:12	<b>helpful</b> 21:1 <b>helping</b> 203:11 <b>helps</b> 76:9 150:20 <b>heretofore</b> 298:6 <b>hereunto</b> 299:20 <b>HERVAS</b> 2:17 <b>hey</b> 12:12 87:13 88:8 94:11,14 96:17 233:10 234:19 271:1 <b>hi/bye</b> 117:18 <b>hid</b> 277:12 <b>high</b> 104:11 <b>higher</b> 279:20 <b>Hilgenberg</b> 93:4 101:2,3,10,12,20 102:6 <b>hire</b> 49:19 <b>hired</b> 11:6,10,20 17:20 86:9 249:10 287:17 287:18,23 <b>Hock</b> 197:21 <b>hold</b> 136:6 228:14 235:17 <b>hole</b> 59:11 80:12 80:15,18,24 111:8,14 112:10 119:16,17 120:1 120:3,6 121:2 221:13 <b>homeowner's</b> 208:19 <b>Homer</b> 51:2 90:6 92:4 <b>Homewood-Flo...</b> 90:7 92:3,5 <b>honestly</b> 147:19 <b>hour</b> 137:7 <b>hours</b> 68:3 242:6 260:11 <b>house</b> 51:10 57:5 90:9,12 91:13,18 92:13,14,15	115:19 208:20 208:21 209:23 214:1 253:7 254:22 255:17 <b>how's</b> 87:14 88:8 94:13,14 271:1,1 <b>HR</b> 220:3,7 <b>Hubbard</b> 2:2 <b>huh</b> 54:24 55:1 <b>huh-huh</b> 8:22 <b>human</b> 49:12 <b>hundreds</b> 97:20 <b>hunted</b> 77:22 88:23 <b>hunting</b> 14:2 16:20 17:5 31:4 31:23 74:2,5,9 74:19 184:3,14 184:23 264:10 <b>hype</b> 67:20 <b>hypothesizing</b> 114:8 <b>hypothetical</b> 46:8 <b>I</b> <b>IDecoyem</b> 14:23 15:4,12,18 <b>identification</b> 4:9 5:2 20:9 21:24 23:20 24:17 25:9 26:22 36:23 75:3 146:21 149:22 151:11 152:5 163:3 184:19 190:17 193:4,16 198:8 228:3,20 <b>identifying</b> 186:3 <b>ignore</b> 112:14 <b>ignored</b> 96:23 <b>IL</b> 299:23 <b>Illinois</b> 1:1,7,17 1:18 2:3,8,15,19 3:3,10 205:9	294:2,7 295:5 296:5 297:5 298:1,6,10,11,15 298:17 299:23 <b>image</b> 76:22 77:16 77:21 <b>immediate</b> 242:20 <b>implicate</b> 269:17 <b>implies</b> 192:10 <b>implying</b> 128:11 128:12,14 <b>important</b> 7:8 9:2 <b>Impossible</b> 53:14 <b>impressions</b> 55:1 <b>inactive</b> 162:21 <b>inadvertency</b> 189:17 <b>inches</b> 104:12,13 242:18,18 244:12 <b>incident</b> 32:8 35:3 35:7 37:19,24 38:4 55:17 56:3 81:6,18,22 110:17,22 123:3 123:8 224:5 225:3 226:4 <b>incidents</b> 251:22 <b>inclined</b> 26:17 73:17 <b>include</b> 258:9 <b>included</b> 74:5 198:12 200:22 201:3 <b>including</b> 56:9 69:19 146:11 <b>inclusive</b> 294:13 <b>indicated</b> 14:7 <b>indicating</b> 104:12 <b>indicted</b> 90:22 91:2 <b>indictment</b> 97:13 <b>individual</b> 75:23 261:14
--	--	--	---	--

John Scatchell, Jr.

August 5, 2020

Page 313

<b>individuals</b>	<b>intimidating</b> 69:7	<b>Jarecki</b> 240:10,12	213:21 217:4	<b>Junior</b> 20:8 21:3,7
140:22 220:12	<b>investigated</b>	240:15 241:6,16	264:17 267:15	21:11,23 22:2
220:13,24 235:8	102:13	242:15 243:16	267:17 268:23	23:19,22 24:16
243:9 287:9,10	<b>investigation</b>	243:19 244:8	282:7	25:8,14 26:21
288:4,8,16	81:12	245:7 273:19	<b>Joe</b> 279:10,17,19	36:22 75:2
<b>infinite</b> 108:19	<b>investigations</b>	274:5 278:20	<b>Joey</b> 269:8	146:20,23
<b>information</b> 94:8	145:17	279:10 284:18	<b>John</b> 1:3,13 3:15	149:21 150:2
95:22 227:5,8	<b>invited</b> 79:4 92:13	<b>Jarecki's</b> 244:19	4:2 6:23 14:10	151:10,15 152:4
<b>initials</b> 246:21	92:14 119:5	272:22	43:17 69:10,11	163:2,7 184:18
<b>injury</b> 149:14	209:8 213:24	<b>Jeep</b> 223:16 225:5	128:22,22 129:9	190:16 193:3,15
151:3,6 157:23	<b>invocation</b> 154:22	<b>Jeff</b> 12:12 14:7	129:9,9,15,15	198:7 228:2,19
162:21	157:7	18:23 20:18	130:5 147:10	
<b>injustices</b> 203:18	<b>invoke</b> 14:24 15:2	22:4 38:7 44:21	153:1 156:12,14	<b>K</b>
<b>inquire</b> 35:14	<b>invoking</b> 145:13	48:4 59:22	156:19 195:19	<b>K</b> 298:2
<b>insane</b> 90:24	<b>involved</b> 29:24	64:13 72:21	196:14 243:22	<b>keep</b> 65:16 129:4
<b>inside</b> 57:7 252:11	61:14,14 234:22	75:11 76:18	264:16 278:24	231:18 260:9
<b>instances</b> 214:2	<b>involves</b> 70:23	96:13 98:3,6	280:6,14 284:16	289:14
<b>instruct</b> 29:4 38:7	<b>involving</b> 55:17	101:19 129:16	294:3,19 295:2	<b>keys</b> 226:12
153:6	78:7 81:22 89:9	140:10 155:2	296:2 297:2	<b>kid</b> 49:19 51:22
<b>instructing</b>	<b>irate</b> 49:9 53:24	185:18 189:1	298:11,15,22	54:18 253:20
196:21	54:9,14	191:14 208:7	<b>Johnny</b> 59:10	<b>kidding</b> 49:19
<b>instruction</b> 156:9	<b>ironic</b> 106:3	209:2 220:24	70:16 80:24	<b>kind</b> 8:16,22 9:1
<b>instructions</b> 8:11	<b>issue</b> 89:9 135:12	231:6 275:10	87:13 94:10,13	56:4 81:7 106:3
12:21 13:7	136:10 137:4,19	278:13	221:11,18 222:5	106:8 117:20
<b>intent</b> 35:22	153:11 161:5	<b>Jeffrey</b> 2:16 61:4	268:14 271:4	128:15 143:23
<b>interested</b> 299:18	187:17 226:17	<b>jeffrey.fowler@...</b>	278:6	144:3 159:11,12
<b>interim</b> 211:13	256:1	2:16	<b>Join</b> 28:8 50:4	214:23 226:12
<b>interrogation</b>	<b>issued</b> 136:23	<b>Jennifer</b> 215:12	159:1	233:8 236:4
33:18,24 34:4,17	<b>issues</b> 156:15	217:2,19 218:10	<b>Jojette</b> 111:20	245:9 252:13
35:2 36:11	204:21 225:11	218:15 219:20	<b>joke</b> 128:16,17,19	257:4 269:1,2
145:19,21 154:3	225:15 231:21	221:3	<b>joking</b> 234:15,18	273:14 289:12
154:19 162:9	<b>Italy</b> 90:22	<b>Jerry</b> 51:5 90:20	<b>jon</b> 74:9	289:16
185:2,6	<b>Itasca</b> 2:19	90:21,23 95:18	<b>Jr</b> 4:2 147:10	<b>kinds</b> 247:16
<b>interrupt</b> 12:13		96:7 97:11	153:1 156:19	289:7
52:11 107:9	<b>J</b> 6:17 43:17	98:10 99:8,13,21	195:19 196:14	<b>knew</b> 86:8 87:20
126:1,2	<b>J-A-R-E-C-K-I</b>	102:16 104:6	225:18 298:11	88:17 89:3,6
<b>intervention</b>	240:14	208:16 214:4	<b>Jr.'s</b> 156:14	90:6 92:22 93:1
156:8	<b>jag-off</b> 111:7	<b>Jimmy</b> 218:5	<b>Juan</b> 96:13 208:7	93:2,12,15 94:5
<b>interview</b> 12:4,10	112:9	221:3	209:2 221:1	96:7,9 100:4,6,7
123:4 281:23	<b>January</b> 33:19	<b>job</b> 10:22 29:17	<b>judge</b> 108:13	102:8 113:6
286:21 287:3,6	117:17 162:10	51:22 56:10	109:3 156:18	182:24 183:1,5
288:17,24 289:5	185:3 266:22	72:10 88:7 94:4	<b>July</b> 225:19	186:20 204:10
289:20 290:14	267:1,6,8	114:10 119:20	<b>jump</b> 128:20	225:20 272:16
<b>interviews</b> 288:21		160:18 195:8	<b>June</b> 25:5 184:10	<b>know</b> 7:5,12,16

John Scatchell, Jr.

August 5, 2020

Page 314

8:2,4 12:19	231:5,17 234:9	130:24 131:3,8	261:24 263:10	<b>Leonard</b> 58:5
44:13,21 45:24	234:11 236:13	131:12 132:1	263:19	<b>Leoni</b> 11:16
48:21 50:11,14	241:11 243:8	140:4 141:4,14	<b>Lavalais's</b> 44:4	287:19
50:19,20,21	246:12 253:23	142:4,13 143:9	45:12,23 46:14	<b>let's</b> 31:6 49:14
53:18 54:8,21,23	254:24 257:3,14	144:13 235:4	49:24 87:1	96:17 130:5
56:1,8 58:3	268:14,20 269:6	248:13 253:4	131:3,8,12 132:1	149:24 160:22
60:17 61:13	274:8 275:3,6	254:5,17 255:6	<b>law</b> 2:2,7 3:2,8	163:5 208:1,11
63:16 64:24	276:8,21 277:20	255:23 256:17	10:21 70:14	229:7 280:3
65:15 67:14	277:24 280:1,7	256:17 257:2	71:9 145:7	<b>letter</b> 219:11
68:15,20 71:17	283:12 284:4,8	258:14 259:3,5	191:24 257:4	<b>letters</b> 203:11
80:5 84:14,20	284:10 287:7,10	261:12 262:11	<b>lawn</b> 208:15	<b>License</b> 299:23
86:4,14 89:17,21	288:13,20,23	262:19 263:18	<b>lawsuit</b> 43:19	<b>lie</b> 89:17
89:24 91:22	289:11 290:12	<b>Kyll's</b> 46:10 48:18	45:18 215:9	<b>Lies</b> 89:18
92:2,6,9,21 93:7	292:2	219:13 259:6	216:13,20	<b>lieutenant</b> 54:6
93:11,17 95:18	<b>knowledge</b> 42:21	261:2,17 262:4	229:16	119:6 133:5
96:6 98:14,16,23	51:15 79:1	<b>Kyra</b> 108:17	<b>lawyers</b> 7:4	135:16 138:16
98:24 99:1	89:22 115:8	182:22 183:20	<b>lay</b> 71:11 124:19	161:16 223:21
100:7,13 103:21	138:6 204:15	<b>Kyra's</b> 109:13	264:19	223:22 243:15
106:14 108:15	205:13 209:10	<b>L</b>	<b>lead</b> 196:5,8 283:1	243:17 258:22
112:4 115:18,23	209:15 211:16	<b>L</b> 6:17,17	<b>learned</b> 64:4	258:23 264:3,5
117:11 118:19	214:24 216:16	<b>Labor</b> 205:9	255:23	279:20,21 280:2
119:4 120:13,22	216:24 218:4,14	<b>lack</b> 236:19 238:5	<b>leather</b> 121:20	285:20
122:13 123:9	218:24 220:14	248:21 250:7	<b>leather-ish</b> 121:16	<b>lieutenants</b> 79:11
124:13 125:7,11	221:8 223:6	253:16 256:8	<b>leave</b> 42:2,18	132:21 133:18
125:12 127:23	224:5,12 225:14	262:7 288:10	43:13 121:13	134:5 135:7
129:14 130:23	226:3 274:12	<b>ladder</b> 50:22	122:6 148:24	136:1,20,23
133:17 134:16	281:2	<b>laid</b> 212:2	151:1 162:12	137:4,22 239:24
135:14 136:19	<b>known</b> 104:11	<b>LANER</b> 2:13	217:21,23	243:10,13
138:4 148:5	271:6	<b>language</b> 47:8	264:10 266:13	<b>life</b> 243:21
154:23 155:4,7	<b>knows</b> 96:10,11	102:10 257:5	<b>leaves</b> 103:16	<b>Life-long</b> 14:16
155:19 159:5	99:22 102:21	<b>large</b> 121:10	<b>led</b> 199:23	<b>likable</b> 95:11
160:8 161:2,8	106:13 121:4,5	<b>late</b> 137:5,8 158:3	<b>left</b> 23:13 47:5	<b>likes</b> 244:5
185:23,24 186:7	122:6 125:15	183:7 254:15	99:15 100:19	<b>likewise</b> 9:5
191:5 200:13	136:15 185:19	<b>laundry</b> 197:24	161:20 227:6	<b>liking</b> 122:11
202:11 204:16	192:6	<b>Lavalais</b> 43:22	239:8 254:6	<b>limiting</b> 156:8
205:21,23	<b>Kyll</b> 43:22 44:1,4	<b>left-handed</b> 14:1	<b>line</b> 18:17,21 24:7	
207:13 209:21	44:8 45:12,23	44:1 87:4,10	24:21 26:10	
210:11 211:15	46:14 49:10,24	102:23 103:3,10	27:2 35:19	
211:17 212:14	84:1,19 85:22	124:11 125:9	136:8 137:19	147:9 151:24
214:13 216:1	86:5 87:1,3,5,9	130:21 140:4	138:1 159:17	203:15 212:3
217:5,6 219:2,4	102:23 103:3,9	141:4 142:4,13	206:14	295:11,13,15,17
219:24 220:6,8	103:15 120:19	143:9 144:13	<b>legitimate</b> 155:10	295:19,21
222:5,16 225:4	124:11,18 125:9	255:24 257:7	<b>lemon</b> 224:15	296:11,13,15,17
226:14 227:15	125:11 130:21	258:14 261:7,24	<b>Lenny</b> 96:15,17	296:19,21

John Scatchell, Jr.

August 5, 2020

Page 315

297:11,13,15,17	208:12 210:4,12	71:14 82:3 83:8	251:10	218:8 219:22
297:19,21	211:3 212:23	95:12 99:21	<b>manager</b> 134:13	220:3,4 244:5
<b>lines</b> 27:7 247:13	221:1 283:7	100:12 111:22	138:22 139:5,12	283:2 288:2,3
<b>linger</b> 112:12	<b>Lodge</b> 150:5	111:23 142:8,24	139:20 140:2	290:13
<b>list</b> 44:18 102:7	<b>long</b> 8:2 12:7	143:1 242:23	141:2 159:12	<b>mayor's</b> 216:18
215:6 280:24	76:16 87:21	253:2 260:6	160:5	218:7
281:3,7 282:16	96:16 101:23	264:23,24 265:4	<b>managers</b> 134:4	<b>Maywood</b> 195:11
283:3,4,17 284:3	231:17 248:17	269:15	<b>Manzel</b> 51:5	<b>mbersani@hcb...</b>
284:7 285:24	248:23 252:20	<b>lots</b> 252:18	90:20,21,23	2:20
286:2,24 288:18	253:13 255:4	<b>loud</b> 56:23 57:10	95:18 96:7,14	<b>McMillan</b> 215:13
290:6	287:14	57:11 67:18	97:6,11,15 98:10	217:2,20 218:15
<b>listen</b> 101:14	<b>longer</b> 154:7	84:4 85:1	99:9,13 102:16	219:20 221:3
108:24 112:13	231:18	<b>love</b> 248:2	124:8 208:16	<b>mean</b> 43:8 54:19
162:1	<b>look</b> 20:13 22:2	<b>loving</b> 62:18	214:4	57:21 61:19
<b>listened</b> 162:4	23:22 24:19	<b>lower</b> 23:13 77:4	<b>Mario</b> 215:6	62:1 63:10 82:6
<b>literally</b> 252:14	25:11,20 26:9,24	151:7 181:14	216:5 221:4,4,6	83:8,11 97:24
<b>little</b> 17:22 18:6	37:2 69:9 75:14	<b>loyal</b> 235:3	<b>mark</b> 125:7	107:22 113:15
51:21 56:20	76:7 77:3,19	<b>Luis</b> 278:4	201:11 208:12	117:10 133:4
63:21 64:7	89:22 90:2,10	<b>lunch</b> 111:21	210:4,12,13,20	135:15 138:6
71:11 72:8 94:8	94:11 99:15	<b>lungs</b> 252:15	211:3 212:6	188:4 191:8
117:13 119:20	100:9,11 122:21	<b>M</b>	221:1,2 260:8	192:9 197:7
160:24 197:1	125:18 146:23	<b>M</b> 6:20 231:14	283:7	203:18 208:7,11
203:22 244:13	150:1 151:14	272:20 285:10	<b>marked</b> 4:9 5:1	216:2 220:1
<b>live</b> 51:2,6,8 83:9	152:7 181:13	291:4	20:7 21:22	235:6,7 243:22
83:10 86:1,5,18	184:6,12,21	<b>M-80</b> 57:3,18,20	23:18 24:15	244:4,9 246:2
89:15 96:3,20	187:16 190:12	57:23 81:7	25:7 26:20	249:22 251:1
98:22,22 102:8	190:19 191:12	110:22 123:3	36:21 75:1,5	255:9 269:1,15
208:15,17 214:5	193:6,18 200:14	<b>M-A-C</b> 246:22	77:4,20 146:19	277:16 284:9
256:18	200:15,17	<b>M-E-N-O-L-A-...</b>	149:20 151:9	285:16 290:18
<b>lived</b> 86:3 90:6	202:15 207:15	152:3 163:1	<b>meaning</b> 161:7	212:18
92:2,9 93:3,5,13	207:18 227:16	279:4	181:15 184:17	<b>means</b> 44:16 62:2
93:23 94:18	228:5,22 232:19	<b>MAC</b> 246:12,14	190:15 193:2,14	73:16 214:14
95:1 96:15,18	283:4,4,5	246:21 247:8	198:6 228:1,18	235:12 299:2
97:6 102:9	<b>looked</b> 57:17	249:14 250:22	<b>marks</b> 22:15	<b>meant</b> 234:23
209:6,20,22	76:23 90:1	<b>mad</b> 103:15	<b>matter</b> 103:18	<b>measure</b> 53:14
213:11 214:1	100:12 183:5	<b>Madison</b> 2:7	155:4 156:17	<b>medical</b> 9:24
<b>lives</b> 50:20 86:2	198:11 223:24	<b>Maiello</b> 26:4	226:24 291:15	153:8 156:14,15
89:16,18	<b>looking</b> 23:3	66:13 258:22,23	<b>matters</b> 22:10	157:3
<b>livid</b> 82:17	150:15 191:23	263:23 264:9	<b>mayor</b> 53:22 64:9	<b>medication</b> 9:19
<b>living</b> 50:23 84:1	<b>Looks</b> 27:11	<b>mail</b> 103:12	88:13 99:3	<b>meet</b> 104:20
93:4	<b>Lori</b> 1:15 31:15	252:17	131:21,24 132:4	270:19
<b>LLC</b> 2:7 3:2	298:4 299:22	<b>making</b> 54:22	132:13 140:19	<b>meeting</b> 61:18,22
<b>locked</b> 60:16	<b>lost</b> 216:13,14	<b>Male</b> 259:24	210:8 213:4	122:14 141:11
<b>Lockton</b> 125:7	<b>lot</b> 50:19 66:19	<b>man</b> 67:20 251:7	215:9 216:9,9,13	

John Scatchell, Jr.

August 5, 2020

Page 316

141:13,17,19,21	<b>met</b> 183:2	263:24	298:17	143:8 144:12
141:21 253:3	<b>Mexico</b> 17:2,5	<b>Monday</b> 108:17	<b>municipality</b>	279:15,17 280:5
259:5 261:6,13	<b>Meyerson</b> 156:18	109:3	286:22	280:20
261:16,19,20	<b>Michael</b> 1:8 2:20	<b>moniker</b> 246:6	<b>N</b>	<b>Negron</b> 41:17
262:4,5,12,14,17	3:16 233:14	<b>monikers</b> 247:23	<b>N</b> 1:18 2:1 3:1 4:1	42:1 43:1,12
262:17,22,24	246:21 269:23	<b>Monroe</b> 3:9	6:17,20,20	<b>neighbor</b> 51:7
263:2 277:21	270:5 271:16,24	<b>month</b> 95:7	231:14,14	95:21,23 209:24
279:22	294:8 295:7	240:23 248:14	252:23 253:2,6	269:4
<b>meetings</b> 61:10,11	296:7 297:7	249:6,15 254:7	253:10,14,22	<b>neighbors</b> 268:21
61:15,16 78:23	298:19	254:13 260:17	254:4 255:3	<b>Nello</b> 90:24
79:4 80:1	<b>mid-2000s</b> 222:3	266:23 272:6	256:14 257:8,21	<b>nephew</b> 225:17
112:18 118:23	<b>middle</b> 192:1	277:2	258:6,11,13	282:9
119:5,8 143:1	201:23 202:1	<b>monthly</b> 239:1	261:15 262:1	<b>nepotism</b> 52:4
262:18 277:2	266:22	<b>months</b> 19:24	272:20,20	<b>never</b> 36:19 51:7
<b>Melrose</b> 1:6,17,18	<b>midnight</b> 242:9	54:20 72:3 95:6	54:2 83:2 94:16	
11:1 13:13	<b>Mike</b> 199:10	116:16,18	95:24 96:2	
29:23 30:16	202:19,20,21,24	149:13,16	104:9,17 108:6	
31:3 95:19 96:8	236:17 293:2	<b>Montino</b> 49:20	110:2 119:5	
98:10 101:21	<b>mill</b> 290:21	52:16	123:13 143:24	
106:7 197:24	<b>milling</b> 48:24	<b>Montino's</b> 49:19	153:3 157:22	
198:1 201:17	<b>million</b> 48:24	<b>Morales</b> 55:17,22	<b>names</b> 208:5	
205:14 206:3	<b>mind</b> 127:24	81:22 110:17	187:5,17 190:4	
212:21 220:15	139:4 227:7	123:8,12,22	216:1,3 279:13	
233:1 240:22	230:6	<b>Moss</b> 90:14,18	279:13	
294:6 295:5	<b>mine</b> 23:14	208:8 209:16	<b>narrative</b> 72:14	
296:5 297:5	234:24,24	221:1	107:2 126:15	
298:9,9,17	<b>minor</b> 117:18	<b>mother</b> 110:23	230:2	
<b>member</b> 232:15	<b>minute</b> 47:5 214:6	<b>mouth</b> 65:16	<b>narratives</b> 107:24	
<b>members</b> 11:9,10	261:6 277:7	110:7 113:12	<b>Natale</b> 71:21	
12:5 133:14,19	<b>minutes</b> 229:8	114:1 142:15	120:15 204:18	
<b>men</b> 65:13	<b>Mischaracterizes</b>	252:14	283:20	
<b>mend</b> 71:19	251:11	<b>move</b> 62:21 63:1	<b>naturally</b> 57:23	
<b>Menolascino</b>	<b>misconduct</b> 39:3	72:15 129:23	<b>NAUGHT</b> 293:14	
278:24 280:6,14	41:2,9	<b>moved</b> 51:3 90:8	<b>nauseam</b> 108:19	
284:17	<b>misrepresentati...</b>	96:21 121:8	<b>nearby</b> 116:3	
<b>mention</b> 272:1	35:8	274:9,13	<b>necessary</b> 154:11	
<b>mentioned</b> 192:17	<b>missing</b> 226:8	<b>movie</b> 57:8	<b>neck</b> 151:7	
220:24 232:2	<b>misspoke</b> 211:5	<b>moving</b> 72:12	<b>need</b> 8:1,4 27:15	
263:23 271:18	<b>misstates</b> 81:9	<b>mows</b> 208:15	30:20 33:9	
284:20	<b>mistake</b> 213:13	<b>MUCHIN</b> 2:13	35:24 48:14	
<b>mere</b> 244:11	<b>mock</b> 252:1	<b>muddled</b> 129:12	100:10 143:14	
<b>mess</b> 8:15 9:8	<b>mockery</b> 91:8	<b>Municipal</b> 1:7	183:12,15 197:4	
<b>message</b> 269:15	<b>mom</b> 99:5	294:7 295:5	198:15 199:17	
<b>messages</b> 184:9	<b>moment</b> 33:3	296:5 297:5	231:19	
			<b>negative</b> 142:12	

John Scatchell, Jr.

August 5, 2020

Page 317

266:1 <b>nodded</b> 77:13 92:1 214:9 268:3 <b>nodding</b> 8:22 <b>noise</b> 57:10,12 <b>nonresponsive</b> 72:17 <b>nonsense</b> 129:13 247:9 <b>Nope</b> 11:21 26:19 123:15 234:21 <b>normal</b> 8:19 71:23 <b>North</b> 2:14 <b>Northern</b> 1:1 294:2 298:14 <b>notarial</b> 299:20 <b>notary</b> 1:15 294:23 298:4 299:23 <b>note</b> 152:8 225:23 <b>noted</b> 129:8 294:17 <b>notes</b> 207:14 <b>notice</b> 1:14 6:3 146:17 299:12 <b>noticed</b> 224:1 <b>November</b> 31:6 31:20,22 32:10 34:18 36:5 38:16 158:3,6,20 159:10 160:4 182:10,10,13,18 182:21 183:7 194:7,20 195:6 196:17,17 197:13 249:4 <b>Nowicki</b> 223:21 223:22 224:13 <b>nugget</b> 252:13 <b>number</b> 8:20 24:9 34:5 44:2 73:8 108:19 232:1 <b>numbered</b> 220:22	<b>numbers</b> 37:4 292:6 <b>numerous</b> 56:7,9 162:7 <b>Nunzio</b> 26:3 66:13 137:2 258:23 263:23 <b>Nurse</b> 155:17  <b>O</b> <b>O</b> 6:17,20 231:14 231:14 272:20 285:10,10 291:4 291:4 298:2,2 <b>o'clock</b> 1:20 72:24 103:12 <b>oath</b> 294:13 <b>obese</b> 66:15 <b>object</b> 30:4 31:9 32:1 35:19 38:3 39:5,24 42:3 47:17 50:15 60:23 63:1 70:4 70:4 72:12 75:18 119:1 134:14 144:15 145:23 146:6 149:2,4 186:17 194:23 205:17 214:15 236:19 248:20 250:7 251:9,18 253:15 256:7 262:7 273:11 288:10 291:8 <b>objected</b> 36:9 37:17 292:16 <b>objection</b> 19:4 27:18 28:5 30:19 32:13,21 34:9,13 35:5,13 40:2 41:10 42:5 42:19 45:5,13 47:24 50:2	<b>October/early</b> 158:3 <b>odd</b> 226:11 <b>odometer</b> 223:2,8 224:1 225:3,6 <b>off-duty</b> 149:14 <b>offender</b> 58:17 <b>offense</b> 9:18 <b>offensive</b> 105:24 <b>office</b> 3:8 62:7 67:17 68:2,22 70:19 80:8,23 85:1,3 94:3,11 103:18 104:18 104:19 106:18 111:18 112:5 120:3,10 121:1,4 121:7,10 122:1,5 124:14,21 125:6 221:23 225:19 241:7 242:22 243:1,2,6 244:11 244:13 247:10 252:15,17,18 254:6 <b>officer</b> 10:24 13:14 24:7 28:3 28:22 30:15 31:24 32:9 38:20 41:16 42:1 43:1,12 45:20 71:16 97:12 101:20 106:7 109:12 133:9,10 138:16 160:10,23 194:21 226:24 259:20,22,22 260:2 264:3 265:9,15,20 267:10 272:23 273:1 280:12 283:11 286:23 288:17	<b>officer's</b> 24:21 26:9 27:2 <b>officers</b> 17:9 19:2 29:23 31:2 39:8 61:21 66:6 70:20 73:9 133:3,13 135:8 145:16 227:14 234:1 235:24 236:2 237:10 238:1,16 239:4 239:13,18,23 245:1,6 257:9,14 260:1,12,16 267:12 285:14 289:21,24 <b>offices</b> 2:2 144:9 191:24 <b>official</b> 138:18 210:23 211:21 <b>officially</b> 211:6 <b>oh</b> 13:5 59:21 60:16 94:10,11 94:12,14 100:3 128:18 212:12 225:13 227:16 289:19 <b>okay</b> 7:13 8:10,24 12:11 13:6,10 14:11,20 16:13 17:15 24:4,19 25:15 27:9 32:20 33:3,4,15 33:20 37:11,14 38:16 46:20 47:8 59:24 64:23 68:16 69:11 70:12 71:12 78:6,16 84:10 91:12 96:16,19 97:22 99:11 102:11 103:1 106:14,15 107:8 110:5
--	---	--	---

John Scatchell, Jr.

August 5, 2020

Page 318

125:23 126:22 129:18 132:7,18 133:7 139:10 140:21,24 143:2 145:1 149:12 150:18 156:21 191:21 192:12 192:24 195:22 196:12 197:9 199:19 201:6 204:13 206:7,23 207:1,10 210:16 210:17 220:20 226:23 227:11 231:9 232:6 240:6 247:11 248:3,4,14 249:21 251:14 253:5,9 254:18 257:6,17 258:23 259:10,22 261:10,13 262:24 263:8 264:19 266:10 267:8 269:23 271:11 276:16 277:1,23 279:9 280:5 281:4 285:21 286:18 287:21 290:4 291:13 <b>old</b> 64:3 212:1,2 216:21 259:22 284:23 <b>on-duty</b> 225:16 <b>once</b> 62:5 63:24 93:19 136:7 161:1 195:4 217:14 239:8 244:9,12 258:17 271:9 <b>one-on-one</b> 71:20 <b>ones</b> 272:3 <b>ongoing</b> 45:16	160:17 <b>ooOoo-</b> 293:15 <b>open</b> 98:7 103:16 104:9,10,16 288:21 <b>opinion</b> 59:16 90:16 97:9 160:23 219:16 <b>opportunity</b> 7:4 7:16 194:15 195:11,20 197:14 198:4 229:24 <b>oppose</b> 219:14 <b>opposite</b> 60:11 <b>opted</b> 133:16 <b>oral</b> 281:23 282:18,20 286:21 288:21 289:5,20 290:14 <b>order</b> 7:7 34:1 147:17 289:24 <b>ordered</b> 148:3,10 148:14,19 <b>ordinance</b> 66:10 <b>ordinances</b> 66:12 <b>organization</b> 194:22 <b>original</b> 191:17 246:24 <b>originally</b> 265:7 <b>originated</b> 292:7 <b>outcome</b> 299:18 <b>outed</b> 227:9 <b>outside</b> 57:14 86:18 105:3 112:13 183:20 242:24 293:2 <b>overall</b> 55:12 <b>overheard</b> 111:6 111:18 130:16 212:11,12 <b>overhearing</b> 83:24 <b>overlooked</b> 235:1	<b>overlooks</b> 86:1 <b>overseas</b> 90:18 <b>oversee</b> 284:11 <b>overtime</b> 94:12 <b>owed</b> 205:10 <hr/> <b>P</b> <b>P</b> 2:1,1 3:1,1 <b>P.C</b> 2:17 <b>p.m</b> 1:20 221:14 <b>pack</b> 245:11,12,17 245:20 246:3,10 246:12,13,14,22 246:22 247:2,7,8 249:5,14,17,23 250:22,23 251:8 251:16,23 252:2 252:3 291:7,12 291:14,18 292:1 292:20 293:2,7 <b>page</b> 21:13 22:13 37:4,4,5,19 38:1 75:15,24 76:8,15 77:3,19 132:19 150:14,15 181:13,16 184:7 184:12 191:13 192:1,17 295:1 295:11,13,15,17 295:19,21 296:1 296:11,13,15,17 296:19,21 297:1 297:11,13,15,17 297:19,21 <b>pages</b> 4:2 19:22 294:12 <b>paid</b> 275:13 <b>panel</b> 289:16,19 <b>Paoletti</b> 39:23 40:18,21,24 <b>paper</b> 192:9 <b>papers</b> 200:1 211:12,16 <b>paperwork</b> 191:9	<b>parameters</b> 36:1 <b>paraphrasing</b> 203:9 256:22 <b>parent's</b> 57:8 <b>park</b> 1:6,17,18 11:1 29:24 30:16 31:3 95:19 96:8 98:11 101:21 106:7 197:15,24 198:1 201:17 205:14 206:3 212:21 220:16 233:2 240:22 270:17 294:6 295:5 296:5 297:5 298:9,10 298:17 <b>parking</b> 142:7 270:19 <b>part</b> 52:14 189:18 211:23 212:9 281:16 <b>parte</b> 69:20 <b>participant</b> 265:18 <b>participating</b> 61:9 112:18 118:23 <b>participation</b> 78:23 <b>particular</b> 16:11 52:7 53:4,17 55:14 62:11 68:23 122:17 130:3 220:9 229:18 267:5 272:4,5 <b>particularly</b> 238:11 <b>particulars</b> 56:14 256:23 <b>parties</b> 6:3 92:13 189:11 299:14 299:17	<b>party</b> 234:18 <b>party's</b> 265:17 <b>pass</b> 230:24 <b>passed</b> 202:11 214:18 217:8 281:23 283:6 <b>passes</b> 290:14 <b>passing</b> 43:2 119:15 142:7,21 <b>passionate</b> 69:16 <b>patrol</b> 13:14 50:20 82:20 272:23 273:1 285:17,17 285:18,18,19,22 286:6,16 <b>patrolman</b> 136:16 136:19 273:16 273:18 <b>Paulette</b> 155:17 <b>pause</b> 32:19 <b>pay</b> 44:12 123:18 123:20 149:14 204:22 234:19 259:8 263:13 <b>paying</b> 202:22 233:11 243:21 <b>peak</b> 260:10 <b>pending</b> 8:8 37:12 156:17 298:13 <b>people</b> 49:17 50:22 68:23 71:14,20 74:5 92:15,17 93:2,15 102:8,15 116:2 122:8,11,13,17 140:13 205:15 207:7,19 209:13 213:10,14,24 214:1 215:1,3 217:12,15 218:17,18,23 220:16 222:12 226:22 234:17 235:2 240:9
--	--	--	--	---

John Scatchell, Jr.

August 5, 2020

Page 319

252:19 258:21	60:14 79:1	<b>phrase</b> 110:5,8	112:8,17,20,23	<b>planning</b> 64:6
268:3,9,12,16	113:24 155:14	159:18 206:14	113:8,22 115:4,9	231:21
271:8,14 273:4	205:13 214:24	233:1,14,18,21	115:11 116:8,10	<b>plans</b> 62:13 63:6
274:21 275:14	216:16,24	234:1 237:9	117:9 131:11	63:11
276:9,11,22	218:14 221:8	238:2,17 239:14	134:11 140:11	<b>play</b> 94:5 201:18
277:20 289:17	225:14 271:22	239:17,19 240:1	143:20,23 160:7	203:10
<b>people's</b> 60:15	274:12	240:4,16 245:24	160:15 203:20	<b>players</b> 106:1
<b>perceive</b> 89:11	<b>personally</b> 67:22	246:10 248:9,18	210:10 222:9,13	<b>please</b> 6:6,7,22
<b>perceived</b> 217:11	68:1,7,11,13	249:7 272:10	233:20 238:12	9:17 27:1 28:10
217:12,14	69:24 70:7 97:8	285:13	239:20 245:21	31:13,15 33:15
237:12 246:7	103:8 110:9,13	<b>physical</b> 66:16,18	251:6,22 252:5,6	39:14 45:1
268:17	110:15,20 111:3	<b>physically</b> 138:8,8	252:23 253:6,10	63:16 67:5
<b>perceives</b> 250:19	112:16,22 113:7	253:21 266:2	253:14 254:4	83:19 101:14
250:21	113:10,19,21	<b>pick</b> 92:18,19	255:5 256:14	107:1 126:10
<b>percent</b> 19:9	115:7 116:9,12	290:13	271:23 275:1	129:10 130:6
<b>perfect</b> 106:8	124:2,6 131:18	<b>picks</b> 290:21	277:6,18 284:6	158:12 160:3
<b>perfectly</b> 224:2	139:11,19 140:1	<b>picture</b> 95:8	284:21 294:8	190:19 193:6,18
<b>performance</b>	141:1,23 187:15	215:15 218:16	295:6 296:6	207:3 215:19
260:10	233:16 245:23	267:19	297:6 298:18	228:6,22 236:16
<b>performances</b>	246:11 252:8	<b>piece</b> 192:9	<b>Pitassi's</b> 110:7	237:2 241:21
105:21	253:1,5 298:8	<b>Piemonte</b> 219:22	<b>pits</b> 88:22	254:13 294:15
<b>performed</b> 105:22	<b>personnel</b> 286:13	220:7	<b>pittance</b> 91:7	<b>pleased</b> 141:10
105:23	<b>persons</b> 71:15	<b>Pierce</b> 2:18	<b>place</b> 46:2 47:16	<b>Plenty</b> 53:1
<b>period</b> 16:1,14,19	<b>perspective</b>	<b>pigeonholing</b>	47:22 48:17	<b>plus</b> 287:3
73:24 84:15,16	156:23	250:19	55:11,20 64:12	<b>point</b> 9:9 14:20
114:18 161:2	<b>pertains</b> 154:17	<b>pin</b> 101:9	64:15 71:5,7	20:17 36:6
182:9 183:7,19	<b>Pesch</b> 50:24 71:21	<b>pinpointed</b>	84:12,22 94:2	41:24 93:24
194:14,19	89:13,15 90:3,19	114:16	111:13,17	96:21 99:8
197:12 211:13	91:12,13,14,17	<b>pit</b> 77:22 78:1	115:15 120:7	102:4 108:17
247:19,20 248:8	92:22 93:12,16	<b>Pitassi</b> 1:8 3:16	124:24 201:22	117:6 148:4
248:12	94:18 95:10	17:19 20:3	210:19 265:4	154:1 157:8
<b>periodically</b> 19:15	96:12 99:18	46:16 48:20	276:14 280:23	158:7 160:21
<b>periods</b> 12:23	100:17 102:16	49:9 51:11	282:16 294:12	161:12 187:7
<b>permission</b> 27:16	104:6 120:13	53:24 54:9,13	<b>placed</b> 283:17	197:2 201:24
28:3 29:16	124:8 208:14	59:9 60:1 69:5	286:23	202:2 203:24
<b>perpetuated</b>	214:4 283:20	70:23 79:14	<b>places</b> 283:3 284:3	211:17 264:13
292:8	<b>Phil</b> 42:11 43:4	80:12 87:15	284:7	266:18 274:6
<b>person</b> 71:14	<b>Phillip</b> 41:17	92:24 97:18,20	<b>plaintiff</b> 1:4 2:11	287:16 288:14
106:5 111:10	<b>phone</b> 117:9	98:9 99:18	43:19 195:18	290:22
212:9,15 218:2	124:20,22	100:7 102:23	294:4 295:3	<b>points</b> 282:1
255:11 264:2	<b>photo</b> 75:17 77:12	103:2,9 104:2	296:3 297:3	<b>police</b> 10:24 11:7
269:16,17 277:3	181:22	105:11 106:11	298:16	12:5 17:7,9 18:9
277:4 289:19	<b>photograph</b>	109:23 110:10	<b>plan</b> 63:19	18:18 19:1,2
<b>personal</b> 51:15	181:18	110:16,21 111:4	<b>planned</b> 63:20	28:3,22 29:22

John Scatchell, Jr.

August 5, 2020

Page 320

30:15 31:2	272:22 283:22	<b>presented</b> 39:22 100:1 137:9	201:23 229:11 231:12	<b>pronounce</b> 41:19 155:20
38:18 47:6,10	285:19	<b>presidency</b> 243:22	<b>process</b> 7:7 8:16	<b>protected</b> 206:1 209:3,17 210:3
66:6 67:13	<b>positions</b> 236:3	<b>president</b> 204:18 275:19	12:4 204:6 272:24 273:8	213:8,19 222:6
97:12 101:20	<b>positive</b> 142:15 149:19 150:17	<b>pretty</b> 49:8 69:16 206:5 252:12	281:5,16,17 282:15 285:24	<b>protection</b> 153:14 153:20 154:7,8
106:6,7,19,22	206:20 261:21	270:19 277:12 290:21	290:14	<b>protects</b> 206:19
113:13 134:12	<b>possess</b> 136:13	<b>prevail</b> 156:16	<b>produce</b> 189:15 189:21	<b>provided</b> 149:13
144:22 148:23	<b>posted</b> 64:20 114:10	<b>previous</b> 256:9	<b>produced</b> 185:10 187:6,23 188:2	<b>proxy</b> 115:7 269:14,15
149:13 152:9	182:1	<b>previously</b> 190:4	189:4,7,9,11,14	<b>prudent</b> 154:9
160:10 183:21	<b>power</b> 95:4	<b>Prignano</b> 88:15	<b>productive</b> 160:10	<b>psychological</b> 10:1
189:5,8 190:11	<b>powers</b> 44:12 63:24 269:11	<b>prime</b> 207:15	<b>professional</b> 230:19	<b>public</b> 1:15 89:22 288:21 289:1
191:4 194:3,9,21	<b>practice</b> 220:15 220:18 221:10	<b>Principe</b> 218:5 221:3	<b>promised</b> 53:21 54:3 160:7 162:7	294:23 298:4 299:23
196:16 222:22	<b>Practitioner</b> 155:17	<b>prior</b> 11:3 63:17 182:13,18,21 225:22	<b>promises</b> 160:20	<b>pull</b> 256:6
233:2 234:2	<b>preempt</b> 82:3	<b>prison</b> 88:15	<b>promote</b> 90:19 143:11	<b>pulled</b> 249:3
240:22 249:8	<b>prefer</b> 108:23	<b>pristine</b> 137:9	<b>promoted</b> 17:18 50:22 51:3,5 53:8 64:10	<b>punching</b> 69:13
257:3,13 270:5	<b>prepared</b> 109:19 153:4	<b>privy</b> 79:3	91:15 95:10 102:15 110:11	<b>punished</b> 135:21
273:9 281:13	<b>preprinted</b> 290:1	<b>probably</b> 21:4 22:6 26:8 80:19 82:2 94:3 102:1	120:16 213:2,3,3 234:20 241:8	<b>punishing</b> 238:1
283:8 286:12,14	<b>presence</b> 87:12 132:4 144:1	111:23 116:15	273:1,4 278:4,7	<b>punishment</b> 121:5 121:6
<b>policeman</b> 11:4 90:15,15	239:5 258:18 277:16 299:3	117:6 121:13 125:12 132:3	91:15 95:10 102:15 110:11	<b>purpose</b> 7:3 37:16
<b>policemen</b> 248:2	<b>present</b> 3:14	138:11 160:17	120:16 213:2,3,3 234:20 241:8	<b>purposely</b> 67:17 84:4 119:7 227:4
<b>policy</b> 104:10,16 205:14,20 206:9	38:22 41:4 46:4 47:1 49:3 56:15	201:19 215:5	273:1,4 278:4,7	<b>purposes</b> 107:20 109:9
207:7,10 214:7 214:11	57:6,7 64:16,24	234:3 249:9 260:4,21 272:7	279:20,21,23	<b>pursuant</b> 1:14 6:2 86:19 299:12
<b>politics</b> 99:1 201:17	85:8 94:19	272:13 282:21	280:2 283:18 284:9,11,13	<b>pursue</b> 198:4
<b>poorly</b> 232:20 235:5,9,15	97:14 99:4	<b>probation</b> 160:22	<b>promoting</b> 210:8	<b>purview</b> 42:13
<b>popped</b> 90:3	111:19,24	<b>probationary</b> 161:2	<b>promotion</b> 44:8 44:10 55:7 64:1	<b>pushes</b> 204:11
<b>portion</b> 31:17 39:16 40:13	115:20,21	<b>problem</b> 71:22 204:20 223:22	64:19 82:14 105:12 109:24	<b>put</b> 19:24 30:9 44:2 51:23 54:4
45:3 67:7 83:21	120:21 125:5	<b>Procedure</b> 6:3	124:1 161:1	66:24 81:24
158:14 184:8	142:22 146:4	<b>proceeding</b> 108:7 195:15	127:14,16,20	90:20 95:4
200:1 215:21	147:14 194:6	<b>proceedings</b> 73:4	128:15	108:20 121:12
237:4 241:23	203:3 210:22	105:7 157:17	<b>promotions</b> 235:2	122:19 142:19
250:15 274:2	242:19 252:7	185:16 188:22	286:6	143:14 161:10
<b>Portland</b> 183:24 184:2	253:21 260:12			161:10,14 162:1
<b>posed</b> 159:21 289:23	265:5,22 266:3			
<b>position</b> 37:22 53:22 101:24	299:13			
102:2 197:15				
221:22 271:9				

John Scatchell, Jr.

August 5, 2020

Page 321

195:8,16 202:10 211:11 224:2 225:23 227:4 237:21 246:4,6 248:14 249:6,14 273:3,6,21 278:5 281:6 283:11 <b>puts</b> 208:16 <b>putting</b> 72:4 102:7 161:23 162:3 273:4	<b>quits</b> 269:19 <b>R</b> <b>R</b> 2:1 3:1 6:20 231:14 272:20 272:20 285:10 285:10 291:4 <b>racial</b> 60:22 <b>racially</b> 263:19 <b>racist</b> 60:2,3 105:19 <b>rah-rah</b> 247:9 <b>raise</b> 6:7 <b>ran</b> 54:16 <b>random</b> 234:10 <b>range</b> 84:13 195:4 226:7,13 242:6 <b>rank</b> 243:8 285:19 <b>ranks</b> 19:9 <b>rants</b> 252:15 <b>rationale</b> 115:12 <b>Raul</b> 71:21 120:14 <b>Rauzi</b> 11:24 38:23 282:23 287:13 287:21 288:9 290:5 <b>raves</b> 252:16 <b>read</b> 19:19,21 31:14,18 36:19 36:20 39:13,17 40:14 44:24 45:4 67:4,8 83:18,22 158:11 158:15 197:5 162:11 185:3 195:14 214:7 230:15 231:2 272:19 289:7,11 289:16 290:1 <b>quick</b> 8:14 32:16 72:22 291:2 <b>quickly</b> 290:22 <b>quite</b> 124:14 217:7 226:11 232:4 249:22	27:6 65:9,11 70:20,20 78:8 86:14 94:6 102:14 123:21 127:23 137:18 144:20 203:21 234:17 239:9 246:4 256:22 259:8 263:12 273:6 278:1 <b>reanswer</b> 257:16 <b>reappoint</b> 288:3 <b>reason</b> 10:6 26:18 54:7 65:12 68:8 73:20,22 83:14 96:2 106:9 202:4 280:14 295:12,14,16,18 295:20,22 296:12,14,16,18 296:20,22 297:12,14,16,18 297:20,22 <b>reasonably</b> 106:14 <b>reasons</b> 219:1 295:10 296:10 297:10 <b>recall</b> 7:2 31:8,20 31:22 33:17 34:16 43:10 46:3,13,16 47:20 48:11,13,16 49:23 50:8 52:8 53:2,15,18,19,23 54:12 55:5,14,23 55:24 56:7,12,22 57:1 59:4,19,21 59:24 62:9,16 63:9 64:22 65:3 65:4,7 66:4 68:23 73:11 79:17 80:6,20 81:19 82:7,10 83:4 85:14,17	87:6 88:1 93:21 94:20,22 95:17 96:5 97:17 98:18 99:7,22 102:19 103:23 104:8 110:3,4,18 110:23 111:2 112:6,21 113:2 114:22 116:5,22 117:2 118:7,20 120:18,20,23 122:5,17 124:7 125:1 130:8,19 130:22 131:4,9 131:19 132:5,9 139:17,23 141:7 143:2,4,7 144:18 145:20 146:9,13 147:13 154:4 159:6,7 160:13 185:19 194:4 200:24 201:7 204:24 205:1,4,5 205:12 213:6,16 216:4 217:1 218:3,22 221:16 223:4,5 225:5,12 226:2 229:19 230:11 233:22 239:11,13,16,21 244:20 251:17 251:21 254:23 255:21 257:10 263:21 264:11 269:7 275:2 276:20 279:12 282:23 283:14 292:22 293:3,8 <b>receive</b> 23:15 26:4 201:9 204:22 205:2 228:12 229:4 <b>received</b> 19:14,18
--	---	--	--

John Scatchell, Jr.

August 5, 2020

Page 322

145:20 184:9 201:3 <b>receiving</b> 205:10 <b>recognize</b> 23:10 25:21 26:2 27:10 75:16 77:20 184:8,13 184:22 191:2 200:4 <b>recoil</b> 185:4 <b>recollection</b> 28:19 48:2 58:20 81:11 292:21 <b>recommend</b> 136:21 <b>recommendations</b> 135:16 136:2 138:7 <b>recommended</b> 41:24 42:16 <b>record</b> 9:13 20:3 31:17 32:22 39:16 40:13 45:3 66:22 67:7 69:4,15 83:21 129:6 140:6,9 152:23 156:3 158:14 187:14 188:24 190:1 215:21 237:4 241:23 250:15 274:2 <b>records</b> 157:3 <b>red</b> 57:19 <b>Redirect</b> 4:5 <b>reduced</b> 150:24 299:2 <b>refer</b> 25:12 80:18 91:16 120:3 232:12 235:14 247:1 251:7,22 261:24 263:8,17 269:24 285:14 285:21 291:18	291:20,21 <b>reference</b> 35:6 99:2 191:24 246:11 254:4 258:7,13 272:2 272:11 <b>references</b> 67:10 <b>referencing</b> 293:2 <b>referred</b> 49:10 58:21 80:11,15 80:24 81:6 89:8 97:3 100:21,24 103:5 111:7 119:15 121:1 232:17,22 245:16,19 255:6 257:8 269:21 270:6 275:12 291:12 292:23 <b>referring</b> 37:5,18 47:15 48:8 52:13 73:7 84:11 87:14,15 111:8,11 112:9 133:14 150:10 198:10 218:8 237:10 251:3 263:1,3,18 271:19 275:18 276:7 291:22 <b>refers</b> 48:5 66:5 66:10 119:16 232:14 236:1 271:3 <b>refuse</b> 15:11 106:1 <b>refused</b> 104:21 <b>refusing</b> 15:13 <b>regard</b> 227:15 <b>regarding</b> 102:13 123:8 225:3,10 225:15 <b>regularly</b> 106:18 <b>Reiger</b> 201:11 203:3	<b>reimburse</b> 137:11 <b>reimbursed</b> 135:21 <b>related</b> 39:2 299:16 <b>relates</b> 87:1 <b>relating</b> 32:8 37:24 39:3 81:5 87:3 113:8 123:2 132:12 <b>relationship</b> 16:6 87:20 88:18,19 89:4,7 271:23 <b>relayed</b> 105:16 <b>relays</b> 260:3 <b>released</b> 152:15 <b>relevance</b> 155:6,7 <b>relevant</b> 156:22 187:21,22 195:15 196:6 199:5 229:15 <b>remain</b> 29:5 154:10 155:11 257:3 <b>remaining</b> 106:6 <b>remains</b> 214:3 <b>remarks</b> 212:13 <b>remember</b> 12:7 46:19 54:23 79:11 83:24 124:18,20 125:10 130:18 210:15 212:16 212:17 224:9 240:9,23 241:2 243:11 245:9 247:7 255:5,10 255:13,18 256:23 257:1 260:17 267:13 272:6 282:22 <b>reminded</b> 146:16 <b>removed</b> 106:2 274:18 278:6	<b>Renew</b> 30:18 <b>repeat</b> 9:10 32:5 39:12 40:10 195:4 227:11 236:16,23 241:19 250:11 <b>repeated</b> 31:13 129:11 <b>repeating</b> 108:18 <b>rephrase</b> 7:17 28:10 135:6 149:6 160:3 197:11 230:9 237:7 <b>replaced</b> 150:24 275:20 <b>report</b> 133:10 <b>reported</b> 157:23 158:2 <b>reporter</b> 6:7,10 8:17 12:16 36:17 126:12 129:19 153:15 153:17 196:9,12 202:13 236:15 279:2 <b>reprehensible</b> 47:6 <b>represent</b> 126:19 153:1 <b>representative</b> 38:5 <b>representing</b> 123:11 192:13 <b>reprimand</b> 158:23 <b>reprimanded</b> 158:19 <b>reprimands</b> 159:5 159:7 <b>request</b> 29:15 72:22 <b>requested</b> 31:16 39:15 40:12 45:2 67:6 83:20	158:13 215:20 237:3 241:22 250:14 274:1 <b>requesting</b> 187:24 <b>required</b> 286:22 <b>requirement</b> 52:24 83:7 104:3 <b>requirements</b> 83:12 <b>requiring</b> 145:6 145:16 <b>researched</b> 73:17 <b>reserve</b> 293:12 <b>reserved</b> 299:10 <b>residency</b> 50:13 50:17 52:23 83:7,12 85:21,23 87:1 89:8 90:3 90:19 92:18 102:13 104:2 124:5 125:13 208:9,10 214:2 255:24 <b>resident</b> 92:23 95:19 96:8 97:16 98:10 99:9,13,19 <b>resign</b> 194:16 195:20 <b>resignation</b> 17:22 <b>respect</b> 15:3 220:23 257:19 259:2 267:14 271:9 <b>respectfully</b> 151:24 <b>respond</b> 201:15 <b>responded</b> 147:22 <b>response</b> 129:20 154:18 203:13 216:18 222:10
---	--	---	---	--

John Scatchell, Jr.

August 5, 2020

Page 323

244:18,22 245:7	17:9 19:3,16	233:11 235:23	144:19 233:17	27:15 207:12
<b>responses</b> 200:11	21:10 23:3	236:6 241:10	239:6 277:6	<b>ruling</b> 86:12
201:2,5,9 244:7	27:19 28:4,20	244:3 246:8,8,9	284:2 286:10	102:20 135:22
<b>responsive</b> 127:18	29:5,11 31:8	246:23 247:21	294:9 295:7	<b>rumblings</b> 114:24
<b>rest</b> 70:18 279:7	32:24 34:5 38:3	248:11 249:17	296:7 297:7	<b>rumor</b> 50:17
<b>restricted</b> 258:10	38:24 39:4	253:13 254:2,23	298:19	51:20 52:5
<b>restrictions</b>	40:19 41:5,9,19	256:17 259:1	<b>Rogowski's</b>	53:24 67:13
152:16	44:23 47:23	260:20,21 261:5	161:20 239:8	86:16 218:6
<b>result</b> 109:14	48:10,12,14	262:20 263:3,16	<b>role</b> 286:9 288:16	280:16 290:21
162:21 236:3	49:13 50:9	263:22 264:2,8	<b>roles</b> 286:11	<b>rumors</b> 50:18
237:12 280:21	55:15 62:17	265:5,9 266:2	<b>roll</b> 67:18 84:4,23	67:19 82:22
<b>results</b> 282:15	63:22 65:10	267:11 269:18	85:8 227:6	86:22 116:18
<b>retaliate</b> 207:7	66:14,23 71:6,18	270:4 272:18	240:20,21 241:5	117:24 139:6
<b>retaliated</b> 45:18	72:3 73:15 74:6	275:14,22	241:11,16	218:4
<b>retaliating</b> 205:15	74:12,17 75:14	276:20 284:5	242:12,22,23	<b>run</b> 60:12,15 68:1
215:1 220:16	77:2,4 78:17	285:6	243:3 244:4	103:12
<b>retaliation</b> 219:3	82:23 88:12	<b>right-handed</b>	245:2,6 247:14	<b>running</b> 219:15
221:10	90:10 95:3	13:16	276:15,16	224:13 275:19
<b>retire</b> 63:19 114:6	96:24 102:19	<b>rights</b> 32:11	<b>RONALD</b> 1:7	<b>runs</b> 60:13
<b>retired</b> 62:17	115:20 121:16	205:16 207:9	294:7 295:6	<hr/> <b>S</b>
210:20 211:4,6,8	121:21 125:3	215:2 220:17	296:6 297:6	<b>S</b> 2:1,16 3:1 4:8
222:4	130:4,6,13,17	<b>rise</b> 148:11	298:18	5:1 6:17 231:14
<b>retirement</b> 62:13	131:22 132:6,18	<b>Road</b> 2:18	<b>Ronnie</b> 53:21	231:14 285:10
62:23,24 63:6,11	132:22 133:24	<b>Robert</b> 223:17	128:19	285:10 291:4,4
63:17 65:22,23	134:9 135:3	224:23 225:18	<b>room</b> 12:15 85:9	<b>Sabater</b> 3:15
113:9 118:6	136:4,21 138:20	282:7	121:11,13,15	<b>safe</b> 206:6
210:21 211:12	140:13 145:14	<b>rode</b> 201:16	148:15 223:18	<b>safety</b> 70:20
<b>retires</b> 264:16	146:5 147:23	<b>Rogowski</b> 1:8	224:22 243:3,11	<b>saith</b> 6:19 293:14
267:17 268:22	149:24 150:5,13	3:17 17:20,21	243:13 245:2,6	<b>sake</b> 127:4
<b>retiring</b> 63:11	151:4 152:17,21	30:7 54:5,6 58:2	252:17 276:15	<b>Salvi</b> 224:21
<b>review</b> 21:11	154:1,10 155:11	69:5 79:13	276:16,24 277:8	<b>Sam</b> 1:7 162:7
199:8	157:13,19 158:4	81:13 99:12,14	277:17,18	221:13 257:2
<b>reviewed</b> 199:11	160:4 161:11	100:6,17 116:20	<b>Rosa</b> 51:10	294:8 295:6
199:12 202:17	162:12 181:14	116:24 117:5,15	<b>Rose</b> 89:19	296:6 297:6
<b>revisit</b> 280:3	182:16 183:16	117:22 118:5,10	<b>rotating</b> 19:20	298:18
<b>revoked</b> 54:5	187:10,12 188:2	118:13,22	84:5	<b>Sam's</b> 252:13
<b>reward</b> 38:10	188:5,18 189:12	119:12,24	<b>roundabout</b>	<b>Samuel</b> 3:16
<b>rid</b> 67:11,24 68:19	192:4,14 194:7	120:24 123:2,7	156:16	<b>Sandoval</b> 155:14
114:3	198:4 199:14,15	123:17,24 124:4	<b>RPR</b> 1:15 299:22	<b>sat</b> 70:10
<b>rifle</b> 13:21	201:23 204:8,14	124:10,24 125:8	<b>rude</b> 22:8	<b>save</b> 264:17
<b>right</b> 6:8 7:14	206:1 208:17	130:11,17,21	<b>rule</b> 8:6 138:12	267:17 268:23
8:14 11:1 13:6	211:11 214:7	131:2 132:17	145:16	<b>saved</b> 267:15
13:18,21 14:3,18	217:8 222:22	134:11 143:19	<b>rules</b> 6:2 7:9 17:8	<b>saw</b> 57:17 77:24
15:1,3,14 16:10	229:20 230:10	143:20 144:14	17:17 19:1,11	

John Scatchell, Jr.

August 5, 2020

Page 324

78:3 121:20 202:9,19 209:22 212:17 <b>saying</b> 28:19 54:17 69:1 84:1 85:2 102:7 106:16,16 113:5 114:5 115:9 128:4 132:14 143:8 145:12 161:8 202:1,5 206:8,12 211:11 212:11 217:17 218:12 219:11 221:17 224:14 243:23 259:2 263:10 273:19 <b>says</b> 85:24 86:5 111:23 118:1 147:10 252:19 256:14 <b>Scatchell</b> 1:3,13 2:2,5 3:15 4:2 6:23 20:7,21,23 21:3,7,11,22 22:2 23:3,18,22 24:15 25:7,14 26:20 32:15 33:11 36:21 43:17 44:13,14 69:10,11 75:1 108:24 128:23 146:19,23 147:10 149:20 150:1 151:9,14 152:3,24 153:1,5 156:12,14,19 157:1,4 163:1,7 183:12 184:17 185:16 186:12 186:18,20 190:10,15 191:14,21 192:1 192:13,16,18	193:2,14 196:14 198:6,22 199:4 199:21 202:7 219:11 228:1,18 229:14 231:16 232:8,15,22 233:1,10,11,14 234:2,19 235:7,9 235:23 237:9,18 238:17 239:5,14 239:19 240:1,7 240:16 241:7 243:21 245:10 247:22 248:9,18 254:19 264:16 275:13 294:3,19 295:2 296:2 297:2 298:11,16 298:22 <b>Scatchell's</b> 154:18 <b>Scatchells</b> 236:4,7 237:13,20 <b>Scavo</b> 14:5,13 15:22 16:4,8,16 16:21 17:2,4,18 18:7,10,14 64:4 74:2,6,10,15 77:24 78:3 87:16,21 88:3,18 88:20 89:2,4 90:21 91:2 182:14 184:15 184:24 269:20 270:6 271:6,19 272:2,11 279:24 <b>Scavo's</b> 52:17 <b>scenario</b> 197:22 <b>scenes</b> 72:8 <b>schedule</b> 98:7 135:20 138:19 <b>scheduled</b> 1:19 119:7 <b>schedules</b> 135:18 school 104:15	<b>score</b> 96:11 <b>screaming</b> 103:13 <b>screams</b> 252:14 <b>screw</b> 227:15 <b>screwed</b> 96:13 <b>seal</b> 299:21 <b>seat</b> 123:9 148:11 <b>seats</b> 210:24 <b>second</b> 9:1 12:13 14:18 27:17 32:18 62:18 74:20 76:7,14 108:14 136:6 138:18 160:18 181:14 184:12 196:10 228:15 231:8 279:12 <b>secondary</b> 27:16 27:24 30:9 <b>secret</b> 49:18 92:16 135:20 214:3 276:17,19 <b>secrets</b> 214:3 <b>secured</b> 96:12 <b>security</b> 28:21 see 7:5 21:17 22:3 23:4 26:3 37:3 37:20 51:7 54:13 57:16,22 77:12 95:24 96:2 106:20 109:18 147:7 151:21 156:22 163:16 181:16 183:20 191:23 202:14 208:1,11 225:22 277:13 277:15,18 <b>seek</b> 156:7 <b>seen</b> 26:6 121:7 123:13 132:10 138:8,9,15 198:21 199:2	<b>sees</b> 101:11 <b>segregating</b> 20:19 <b>sell</b> 223:23,24 <b>sending</b> 215:14,15 218:16 <b>senior</b> 98:19 104:5 111:1 133:3,12 224:18 283:11 <b>seniority</b> 281:1 <b>sense</b> 21:5 73:23 106:8 205:24 251:24 <b>sent</b> 135:19 184:9 219:10 269:16 <b>sentence</b> 38:10 <b>separate</b> 78:13 135:17 154:19 156:24 164:10 165:10 166:10 167:10 168:10 169:10 170:10 171:9 172:10 173:10 174:10 175:10 176:10 177:10 178:10 179:9 180:9 181:2 <b>September</b> 23:16 <b>sergeant</b> 44:18 50:24 51:4 77:12 95:24 91:14,17 95:12 133:5 138:15 151:21 156:22 163:16 181:16 183:20 191:23 202:14 208:1,11 225:22 277:13 277:15,18 <b>seek</b> 156:7 <b>seen</b> 26:6 121:7 123:13 132:10 138:8,9,15 198:21 199:2	<b>Serpico</b> 1:7 51:11 53:23 64:9 88:13 99:3 131:21,24 132:4 132:13 219:23 283:2 290:13 294:8 295:6 296:6 297:6 298:18 <b>served</b> 30:7 266:19 <b>Service</b> 14:23 15:4 15:12,18 <b>serving</b> 209:18 <b>set</b> 299:20 <b>seventeen</b> 279:16 <b>Shaking</b> 8:21 <b>shared</b> 254:22 <b>SHEET</b> 295:1 296:1 297:1 <b>sheet(s)</b> 294:16 <b>shhhh</b> 71:1,1,1 <b>shift</b> 59:15,16 61:9,11,15,16 85:18 92:12 99:15 100:20 119:7 135:17 137:7 138:13 161:16,20 221:14 233:7 239:8 241:2,4 242:3,11,13 245:3 259:7,16 260:7,22 263:15 265:24 266:16 <b>shifts</b> 19:20 84:6 138:10 <b>ship</b> 63:22 65:10 <b>shipshape</b> 66:19 <b>shit</b> 19:21 <b>shook</b> 57:5 <b>shoot</b> 13:18,24 <b>shooting</b> 54:18 77:24 78:3
---	--	--	---	--

John Scatchell, Jr.

August 5, 2020

Page 325

185:7 186:13	147:9 151:23	<b>solemnly</b> 6:10 <b>somebody</b> 28:22	<b>speaking</b> 123:11 217:19	200:1 <b>stacked</b> 277:7
<b>shoots</b> 13:24	152:1	<b>Signed</b> 295:23 296:23 297:23	<b>specialty</b> 118:16 277:4 284:12	<b>staggered</b> 288:5
<b>short</b> 73:2 105:5 157:15 187:4	<b>signing</b> 299:9	70:24 78:13 95:21 97:14 137:5,23 209:5,6	<b>specific</b> 55:23 59:5 64:13 65:3	<b>stain</b> 58:11,13,21
188:20 229:9 231:10	<b>silent</b> 29:6 154:11 155:12	209:8 210:24 213:21 215:13	110:3 150:9 251:17,21	<b>stairs</b> 270:20
<b>shorthand</b> 299:2	<b>similar</b> 214:23	227:3 230:23	<b>specifically</b> 28:6 65:24 80:21,22	<b>stairwell</b> 271:1
<b>shortly</b> 210:20 215:16 224:22	<b>Simpson</b> 59:11 81:1 221:11,18 222:3,6	259:16 281:6 283:3,16 284:2,7	82:9 88:11 92:14 130:9 143:3,7 186:5 217:19	<b>stand</b> 29:7 38:11 45:19 84:2 147:18 148:3,6 148:10,14,19,20
<b>shotgun</b> 13:20 74:20	<b>single</b> 48:5 <b>sir</b> 147:3	<b>son</b> 104:14,15 106:2	<b>specifics</b> 130:22 143:4 243:11	<b>standing</b> 122:21 266:5 267:9
<b>shotguns</b> 185:4,7 186:13	<b>sister's</b> 10:20 <b>sit</b> 46:12 48:22	<b>songs</b> 54:22 <b>soon</b> 18:18 254:6	247:4	<b>stands</b> 26:3 246:22 270:12
<b>should've</b> 95:2	50:1 53:2,15	<b>SOP</b> 145:6 206:18	<b>speech</b> 206:1,10 206:19 209:17	<b>staring</b> 69:4,6
<b>shoulder</b> 13:22 14:3	55:6 56:13 59:3 62:8,15 63:8	<b>SOPs</b> 19:12,14 72:4 144:23 206:5	210:5,6 218:7,12	<b>start</b> 84:18 92:17 182:12 248:8 256:15
<b>show</b> 208:16 271:8	130:20 143:3,6 203:16 242:23	<b>sorry</b> 22:20 37:12 40:11 43:8 47:10 50:14 52:10 82:15	<b>spell</b> 240:13 265:13 279:2	<b>started</b> 248:15 249:7
<b>showed</b> 44:7 137:5,7 226:8,9	278:14 279:11	97:23 106:10	<b>spending</b> 96:1	<b>starting</b> 38:1 154:1 184:7
237:19 248:12 275:17 277:6 287:19	<b>sits</b> 82:24 <b>sitting</b> 33:18 65:13 116:2 119:19 148:4	112:12 130:12 139:2 152:20	<b>spiked</b> 124:20,21 <b>spoke</b> 40:18,21 95:21 215:13 224:6	241:5 242:14 <b>starts</b> 37:5,19 92:6
<b>shown</b> 124:13 250:21 283:21	183:14 210:13	153:15,18	<b>spoken</b> 42:24 43:11 44:1	<b>state</b> 1:16 2:14 52:13 91:4,6
<b>shows</b> 11:16 76:15 121:4 263:11	210:24 212:6 241:5 258:21	182:16 183:11	43:11 44:1	136:10 185:14
<b>shuffled</b> 71:1	<b>situation</b> 106:20	195:1 196:11	<b>spots</b> 280:24	264:15 267:23
<b>shut</b> 65:17 113:4	<b>situations</b> 84:3	202:21 211:5	<b>spreads</b> 67:19	298:1,5,10
<b>sic</b> 221:2	<b>six</b> 19:23 149:13	221:6 233:5	<b>squads</b> 270:18	<b>stated</b> 252:21
<b>sick</b> 42:1,17 43:12 144:24 148:24	<b>sleep</b> 10:12,13	241:19 250:4,13	<b>Square</b> 260:5	259:13 267:20
151:1 162:12 264:10	<b>slip</b> 94:12	255:15 265:11	<b>Sr</b> 1:3 3:15 69:11 156:13 157:1	268:8
<b>side</b> 67:12 194:10 292:8	<b>slippery</b> 278:13	276:6	221:11,18 224:7	<b>statement</b> 48:20
<b>sign</b> 21:19 24:11 25:4 26:15	<b>slope</b> 278:13	<b>sound</b> 244:13	224:20 264:16	60:3,20 84:21
<b>signature</b> 21:13 23:10 24:6,7,20	<b>small</b> 94:14	<b>Sounds</b> 7:24	224:3 295:2	85:11 86:24
24:21 26:10,11 26:13 27:1,2	<b>smart</b> 125:16	<b>South</b> 3:3	296:2 297:2	106:4 115:17
	<b>snickering</b> 245:10	<b>spade</b> 96:18,18	298:16	118:10 241:17
	<b>snowplow</b> 68:2	<b>spans</b> 46:9	<b>SS</b> 298:1	244:8,10,18
	<b>sold</b> 223:3,9,16,20 223:24 224:14	<b>spawn</b> 54:19	<b>stabbed</b> 55:8	256:19 266:19
	<b>soldier</b> 51:22	<b>speak</b> 9:2 42:6	<b>stack</b> 198:24	<b>statements</b> 35:16
		220:9,21 250:5		81:5,18,21 82:7
				82:13 83:6 87:3
				103:2,4 117:16

John Scatchell, Jr.

August 5, 2020

Page 326

117:22 118:5,22	294:9 295:7	240:6 252:21	136:11 138:23	253:2
119:12 123:2,7	296:7 297:7	258:1	139:5,12,20	sweat 187:11
123:24 124:4,10	298:19	<b>subjected</b> 221:9	140:2,12 141:2	switch 22:18
131:2,7,12 132:1	<b>stick</b> 57:3 129:23	<b>subjective</b> 83:13	159:12 160:5	sworn 6:15,19
138:24 139:3,13	<b>stickers</b> 22:11,14	<b>submit</b> 29:15	201:12 220:5	69:15 294:20
139:21 140:3	22:16,17,22	<b>submitted</b> 48:19	221:19 243:5	298:22
141:3 142:3	<b>sticks</b> 57:18	151:24 152:9	258:3 289:10,12	<b>systems</b> 12:22
143:23 144:12	<b>stipend</b> 66:17	192:4 200:11,17	289:13	
225:2 245:7	<b>stipulate</b> 76:10,19	200:19,22	<b>supervisor's</b> 241:6	<b>T</b>
247:12,17	<b>stop</b> 127:17	211:17 294:16	242:21 243:1,2	<b>T</b> 2:10 4:8 5:1
<b>States</b> 1:1 206:3	203:10	<b>subordinate</b> 133:8	<b>supervisors</b> 29:16	6:17,20,20
294:1 298:14	<b>stopped</b> 161:22	<b>subpoena</b> 6:4	38:18 79:3,7,10	231:14 272:20
<b>station</b> 30:9 52:6	162:3 253:19	<b>subscribe</b> 294:13	132:20 134:6	272:20 285:10
59:1,8 60:10,13	<b>stops</b> 133:22	<b>SUBSCRIBED</b>	141:9 157:24	291:4
61:10 62:5	<b>story</b> 70:17	294:20	220:2 244:14	<b>tab</b> 20:14 22:15
67:13 78:24	<b>Stream</b> 51:2 89:18	<b>subsequent</b> 44:10	<b>support</b> 140:4	<b>table</b> 82:24 116:3
79:20 80:4,9	90:9 91:19	268:6	141:4 142:4,13	128:20 148:5
82:17 86:8,17,22	<b>street</b> 1:18 2:2,7	<b>substance</b> 9:20	143:9 144:13	211:23
97:4 103:11	2:14 3:9 89:19	<b>sudden</b> 226:9	237:19 248:12	<b>tact</b> 44:19 95:4
111:5 112:18	91:5 142:8	277:3	263:12 275:17	120:10 273:21
113:1,4 118:24	234:4 249:1,3	<b>sue</b> 48:19 49:13	<b>supported</b> 61:21	274:5,9,13 278:5
119:13 122:7	298:9	<b>suffered</b> 159:11	<b>supports</b> 259:7	278:8 280:13
183:3,4 221:18	<b>strike</b> 14:21 16:15	278:18	<b>supposed</b> 104:10	284:13,17
223:18 224:14	16:23 23:11	<b>suggest</b> 29:10	134:1 203:14,15	285:15,18,23
232:18 233:2	41:21 55:20	38:8 130:5	250:24 288:5	286:7
234:2,11 249:8	62:21 63:2	<b>suggesting</b> 109:6	<b>sure</b> 9:2,13 17:13	<b>tactical</b> 280:8
252:11 257:7,13	72:16 116:8	189:19,23	18:16 30:9 33:7	286:16
258:2 266:12	182:11 185:11	<b>suggestion</b> 76:24	36:16 59:23	<b>take</b> 8:1,4,8 9:17
267:9 270:5	204:3 257:15	154:13	62:14 63:7	14:8 17:21
276:15 290:20	272:17 278:10	<b>suing</b> 49:10	72:23 91:3 92:5	20:13 23:22
<b>stay</b> 96:12,14	<b>stripes</b> 285:5	<b>suit</b> 299:17	103:14 105:4	24:19 32:15
198:1 207:20	<b>structure</b> 220:8	<b>Suite</b> 2:3,8,14,18	111:2,21 112:3	33:8,8 34:20
<b>stayed</b> 86:14	<b>stuck</b> 255:8	3:9	113:6 114:9	35:10 36:2 37:2
<b>Steak</b> 115:19	<b>stuff</b> 8:23 84:19	<b>superior</b> 133:10	138:18 142:23	46:1 47:16,22
<b>stems</b> 106:22	100:12 111:22	133:13	192:10 207:12	51:21 55:10,19
<b>stepped</b> 186:1	139:16 157:11	<b>supervision</b> 59:15	239:16 262:18	57:24 61:2
<b>Steve</b> 50:24 89:13	201:20 216:3,22	118:14	267:22 273:18	64:11 71:5 76:7
89:15 90:3	217:9 245:11	<b>supervisor</b> 59:1,8	<b>surgeon</b> 211:1	76:12,21 77:3,19
92:22 93:12	251:16 252:19	60:11,13 61:10	<b>surveillance</b> 183:9	84:11,21 94:1
95:8,10 99:18	<b>stuffed</b> 59:11	62:5 78:24	<b>suspend</b> 137:23	105:1 106:1
102:16 124:13	221:13	79:20 80:10	138:16	111:12,16
125:16 208:14	<b>subdivided</b>	111:5 112:19	<b>suspended</b> 227:20	115:14 120:7
214:4	286:11	113:1 118:24	<b>swear</b> 6:5,11	124:24 137:8
<b>Steven</b> 1:8 3:17	<b>subject</b> 41:9 196:4	119:14 133:9	<b>swears</b> 103:17	147:18 148:3,10

John Scatchell, Jr.

August 5, 2020

Page 327

148:14,19,20 151:14 183:13 183:15 188:11 190:19 193:6,18 200:15,16 201:21 203:14 210:18 211:1 228:5,15,22 229:7 276:14 281:21,22 282:5 282:8 <b>taken</b> 1:14 6:2 8:17 9:19 <b>takes</b> 281:5 <b>talk</b> 18:7 31:6 45:11 60:6 61:14,24 87:12 94:15 99:16 109:2 113:20 117:10 118:2 119:24 126:9 143:24 157:14 188:3 225:4 231:7 234:23 248:2 259:6 269:14 <b>talked</b> 33:13 45:22 126:2 140:17,23 145:19 146:3 153:2 189:1 213:1 220:11 229:16,22 230:24 <b>talking</b> 17:23 46:8 48:10,23 78:6 103:22 106:5 107:6,9,17 120:9 120:11 125:24 128:1 140:18 143:15,16,17 194:2 210:7 241:7 263:4 272:8 275:10	<b>talks</b> 84:4 <b>TALON</b> 2:7 <b>tangled</b> 52:3 <b>tapes</b> 189:4,13 190:3 <b>taste</b> 94:13 <b>tax</b> 44:13,14 232:8 232:15,23 233:1 233:10,11,15 234:2,19 235:7 235:24 237:10 237:18 238:18 239:5,14,19 240:2,7,16 241:7 243:21 245:10 247:22 248:9,18 275:13 <b>technicians</b> 57:24 <b>television</b> 121:23 <b>tell</b> 6:22 27:6 47:4 49:1 64:14 65:17 97:5,18 98:9 109:18 136:14 163:5 182:19 234:16 241:12 274:22 275:1 287:18 289:15 <b>telling</b> 68:6,11 72:6 73:16 130:15 <b>temper</b> 124:14 <b>ten</b> 83:11 90:8 92:3,10 182:1 260:15 292:3 <b>tendered</b> 20:15 23:5 24:1,22 25:22 27:3 75:8 147:4 150:6 151:16 152:10 163:9 190:20 193:7,19 228:7 228:23	<b>term</b> 214:13 234:8 234:9 239:5 263:19 291:7,18 292:1,6,20 293:1 293:7 <b>terminate</b> 156:20 <b>terms</b> 218:9 <b>test</b> 281:8,10,12 281:15,21,22,22 282:5,8,14 283:8 283:10 287:2,3 <b>testified</b> 35:10 <b>testify</b> 40:6 41:7 90:23 97:13 111:23 298:23 <b>testimony</b> 6:11 38:6 39:22 48:1 81:9 119:23 157:2 164:9 165:9 166:9 167:9 168:9 169:9 170:9 171:8 172:9 173:9 174:9 175:9 176:9 177:9 178:9 179:8 180:8 181:1 206:8 232:3 251:12 299:1,6,19 <b>testing</b> 273:8 <b>Texas</b> 60:1,4,6,9 60:21 105:15,20 105:24 106:12 106:16 230:23 230:24 <b>text</b> 184:8 <b>thank</b> 37:10 52:20 181:9 188:9 202:24 207:2 <b>Thanks</b> 13:6 73:1	293:9 <b>theme</b> 220:19 <b>thereabouts</b> 162:10 <b>thereof</b> 299:18 <b>they'd</b> 122:20 137:6,11 233:9 <b>thing</b> 20:1 26:3 50:18 59:9 71:18 75:11 86:12 87:12 210:9 219:13 227:17 248:1 261:5 269:20 279:15,17 280:5 280:20 <b>things</b> 8:15,18 43:4 44:20 <b>testimony</b> 6:11 46:19 71:23 83:3 97:21 99:22 118:1 195:17 207:20 207:21 226:12 232:1 271:2 <b>think</b> 11:18 17:11 22:9 26:18 30:20 35:22 44:20 48:4 71:8 73:20,22 77:9 87:6 89:19 97:8 107:22 109:5,11 124:12 129:21 134:16 142:14 143:10 144:19 161:3,24 186:5 196:16,20 198:17 212:5,8 212:10 218:1 221:4 227:13,14 229:15 273:2 276:19 279:11 284:14 <b>third</b> 77:3 <b>Thirty-one</b> 284:24	<b>thorn</b> 67:12 <b>thought</b> 108:21 118:15 119:8 124:16 149:16 149:18 197:22 199:7,7 <b>threaten</b> 102:6 <b>three</b> 11:19 46:9 58:15,22 64:14 65:13 69:3,12 84:6 103:22 122:21 139:15 140:18 149:16 280:24 281:18 287:9,14 288:4,6 288:15 <b>three-year-old</b> 203:7 <b>throw</b> 60:15 93:3 96:22 136:9 <b>thrown</b> 139:6 235:24 <b>ticket</b> 123:9 <b>tidbits</b> 94:8 <b>tiger</b> 285:4 <b>time</b> 8:1 9:3 13:12 14:21,24 16:19 33:1 40:11 43:10 45:22 47:20 49:17 52:9 53:11 54:6 64:9,19 66:4 68:22 73:24 79:12,17 80:6 82:11 84:8,13,15 84:16,19 85:6,19 86:10 87:5 88:1 95:1,17 96:5,16 97:17 99:8 103:24 108:11 110:4,19 112:8 114:18 116:5 117:7 118:8,15 119:18 120:5,22
---	---	--	--	---

John Scatchell, Jr.

August 5, 2020

Page 328

122:5 123:10,19	283:14 284:21	93:1,8,15 94:17	119:9 207:19	209:7
124:6,20 125:9	293:4,8 294:12	95:22 96:4	208:15,17 209:6	<b>truck</b> 58:16,18,19
126:13 127:14	<b>timeframe</b> 54:20	97:15,20 98:16	209:20,22 214:5	58:22
129:3 131:5,10	125:3 248:16	98:18,20 100:8	217:11,13,16	<b>true</b> 11:13 28:23
131:19 136:23	249:16	100:10,19 103:5	218:5,6,18,20	40:24 74:21
139:18,24 141:7	<b>timeline</b> 261:18	104:4,5 110:1	219:6,6 222:11	76:16 77:17
143:5 144:19,24	<b>times</b> 40:19 56:1	113:16 114:15	256:18 268:13	148:7 149:1,15
147:22 148:4	69:15 103:14	116:1,3 117:24	290:18,19,21	162:22 185:4,17
154:6 158:2	108:20 124:14	122:15 209:5,6	<b>traditional</b> 214:19	194:17 206:11
159:9 160:14	142:11,17,20	209:19 213:10	<b>traditions</b> 64:3	286:24 287:4
161:15 182:9	160:8 201:14	214:1 224:6,8	<b>traffic</b> 160:9,16	294:13 299:5
190:2,6 194:14	230:7,13 242:24	225:16,21 244:4	<b>truly</b> 200:18	
194:19 195:13	246:9,13,24	253:2 255:5	<b>trust</b> 94:15 222:13	
200:15,16 201:8	247:5,15 252:10	258:19 259:11	271:5	
204:19 205:7,12	253:9,12 258:16	259:12,15	<b>Trustee</b> 88:14	
208:10 209:14	269:15 270:8	263:11,14	<b>trusting</b> 213:13	
209:19 211:8,14	271:24 280:10	274:17,18,20	<b>truth</b> 6:12,12,13	
213:16 215:12	283:12 285:4	276:9 277:22,24	268:18 298:23	
216:4 217:1	291:17,24	278:2,4,6,11,17	298:23,24	
218:22 219:15	292:10,19,22	279:5 280:17	<b>truthful</b> 9:21 10:2	
221:16 223:21	<b>TIMOTHY</b> 3:5	281:21,24 282:5	10:7 145:16	
224:10 225:16	<b>title</b> 221:20	283:6,7 286:8	<b>truthfully</b> 7:22	
226:2,23 227:3	<b>to-wit</b> 298:7	290:17,19 293:6	34:2 147:19	
229:19 230:5	<b>to/from</b> 227:5	<b>tolerable</b> 106:19	<b>try</b> 8:5 9:5 94:8	
233:7 236:24	273:6	<b>Tom's</b> 115:19	182:17 207:5	
238:12,13	<b>today</b> 8:3 9:22	<b>ton</b> 281:1,2	<b>trying</b> 9:12	
239:22 241:10	10:4,9 35:3 38:6	<b>Tony</b> 182:14,20	154:21 155:1	
241:15,19	46:12 48:22	182:22 183:20	256:6,16	
242:20 243:6,9	50:1 53:2,16	<b>top</b> 50:9 159:8	<b>tube</b> 57:22	
243:14,19	55:6 56:13 59:3	200:24 201:7	<b>turn</b> 22:7 84:6	
244:20 245:2	62:9,15 63:8	202:16 252:15	289:18	
247:19,20 248:8	98:1 130:20	263:21	<b>turned</b> 12:23	
248:11 250:12	143:3,6 192:14	<b>topics</b> 231:23	70:22,22 210:9	
251:24 252:11	192:18 198:16	<b>torn</b> 200:1	<b>Twenty</b> 216:12	
253:8,21,23	229:17,22	<b>torture</b> 119:22	<b>twilight</b> 260:10	
255:4,21 257:11	232:13	<b>touch</b> 225:23	<b>two</b> 27:6 65:14	
257:24 259:19	<b>today's</b> 106:19	<b>town</b> 50:21,23	66:12 76:16	
259:23 260:6,21	<b>told</b> 41:1,8 44:18	51:7 65:17	90:7 92:6	
264:12,13	47:2 48:9 50:6	83:10,10 84:2	102:15 121:12	
266:14,16	51:7 54:10,11,16	86:2,3,6,18 93:3	135:17 144:7,9	
267:24 269:7	60:1 64:9 68:21	93:5,5,13,23	204:19 210:24	
270:21,22 272:8	79:2,5,8,9 80:2	94:18 95:1	<b>Trombetta</b> 215:6	211:21 216:14
272:13 279:12	80:3 82:16 86:7	96:16,18,21 97:7	216:5,17 221:2,5	267:7 284:14
281:20 282:6	86:9,20 92:24	98:22,23 102:8	<b>trouble</b> 155:18	<b>two-minute</b> 105:1

John Scatchell, Jr.

August 5, 2020

Page 329

<b>two-thirds</b> 26:10	263:2	267:10,21	<b>violating</b> 85:23	148:15 270:21
<b>two-year-old</b> 203:8	<b>unit</b> 284:17	<b>vehicle</b> 223:8	<b>violation</b> 35:18	270:22 281:4
<b>type</b> 61:23 91:1	<b>United</b> 1:1 206:2	<b>verbal</b> 201:5,9	<b>visit</b> 122:8,9	<b>walked</b> 88:8 277:8
105:21 246:6	294:1 298:13	<b>verbally</b> 201:15	209:24 218:19	<b>walking</b> 95:8
<b>U</b>	<b>University</b> 105:20	<b>verbiage</b> 61:3	<b>visited</b> 88:15	98:19 111:1
<b>uh-huh</b> 8:22	106:12	<b>versa</b> 137:13	<b>visiting</b> 122:10	209:24 241:6
101:4 199:21	<b>unusual</b> 8:16	227:21	<b>Vito</b> 14:5,13	244:11 270:13
245:13 246:15	<b>unwritten</b> 138:12	<b>versus</b> 136:10	15:22 16:4,8	270:14,17
248:7 262:2	207:12,14	207:19 208:20	17:18 18:7,10,14	<b>walks</b> 252:16
<b>uncle</b> 115:19,24	<b>upper</b> 151:6	246:13 247:8	52:16 64:4 74:2	<b>want</b> 12:12 19:17
<b>undergo</b> 289:2	<b>upset</b> 46:17 85:22	250:22	74:6,10 87:15,21	22:8,18 31:14
<b>underline</b> 19:23	222:9 243:24,24	<b>vice</b> 137:13	88:2,15,23 90:21	32:17 33:7
<b>underlings</b> 143:17	244:2	227:20	91:1 94:13	54:17 66:20
<b>understand</b> 7:14	<b>upstairs</b> 120:9	<b>Vice-President</b>	269:20 270:2,6	68:9 69:10
7:20 8:9,11 9:14	<b>Urso</b> 279:10,18,19	204:18	271:6,19 272:2	72:19 75:14
12:20 25:13	<b>use</b> 38:4 76:19	<b>vicinity</b> 239:10	272:11	83:15 92:19
28:7 31:10	144:23 149:10	242:20	<b>Vito's</b> 274:10	94:12 97:24
34:24 63:15	233:1,14,18,21	<b>video</b> 13:1,2,3,5	<b>vocal</b> 67:15 216:9	98:8 99:23
78:10,15 105:18	234:18 238:17	<b>videos</b> 185:7,10	<b>vocalized</b> 268:5	122:22 126:3,15
135:5 149:9	238:17 239:5,19	186:13,21 187:5	<b>vote</b> 44:7,10,11	127:3,6 132:19
153:11 154:21	240:16 245:24	187:15,21 188:1	244:3,5 261:12	143:13 152:20
157:6,9,9 159:23	252:23 253:6,10	<b>videotapes</b> 189:2	261:21 275:18	153:10 155:2
160:2 207:11	253:14 257:4	<b>village</b> 1:6,17 11:1	276:7,14 277:9	161:13 187:16
230:9 232:4	258:6 272:10	13:13 27:15	<b>voted</b> 235:3 241:9	188:10,13
235:21 246:3	284:21 291:7,18	28:2,13 29:23	243:22,24 275:3	189:16 202:5
248:1 262:20	292:1,11,20	30:16 31:3	275:6,14,15,16	217:10 231:18
<b>understanding</b> 13:8 15:7 88:16	<b>useful</b> 7:8	92:11,23 101:21	276:8,10,12,21	232:1 248:3
89:1 127:19	<b>uses</b> 47:7 106:4,18	114:9 138:23	276:23 277:21	250:5 254:2
134:3 135:24	257:21	139:12,20 141:2	278:3,4,7,9,11	265:8 267:18,18
189:3 195:13	<b>usually</b> 103:13	148:23 150:5	278:17 279:6	269:18 273:6,20
206:17	<b>V</b>	159:13 194:12	<b>votes</b> 279:16	289:11 291:14
<b>understood</b> 7:21	<b>V-A-U-G-H-N</b>	194:17 205:14	<b>voting</b> 120:19	<b>wanted</b> 33:4
127:21 128:4	265:19	210:23 211:21	261:17 280:21	48:19 51:20
214:8 230:14	<b>vacation</b> 114:24	212:20 215:1	<b>vs</b> 1:5 294:5 295:4	54:2 63:21 65:9
<b>undetermined</b> 298:13	116:13	216:14 217:3	296:4 297:4	65:11 84:8
<b>ungentlemanly</b> 109:7	<b>vague</b> 27:7 238:5	219:14,17	<b>W</b>	100:2 115:13
<b>uniform</b> 95:9	253:17	220:15,22	<b>wait</b> 47:4 59:21	161:10 210:10
138:11	<b>vaguely</b> 27:11	223:19 235:16	67:10,11,23	213:22 246:5
<b>union</b> 262:22,24	183:6	269:13 294:6	68:18 114:1	273:19,21 280:7
	<b>vagueness</b> 235:18	295:5 296:5	152:19,19 196:9	<b>wants</b> 22:21 67:14
	251:19	297:5 298:8,16	254:8,8 292:17	82:20 85:1
	<b>Vance</b> 136:9	<b>village's</b> 217:21	<b>waiting</b> 266:12	118:1 252:2,3,3
	<b>Vaughn</b> 265:8,19	<b>VIN</b> 224:3	<b>walk</b> 103:11	271:2
		<b>violated</b> 66:13		<b>war</b> 54:17,24 55:1

John Scatchell, Jr.

August 5, 2020

Page 330

<b>warning</b> 35:17 145:21	47:9 48:9,23,24 72:12 103:22	<b>white</b> 90:13 219:14	151:17,18,19 152:11,12,21	<b>word</b> 38:4 76:19 79:6,21 80:4
<b>warranted</b> 284:15	106:5 108:1,12	<b>wide</b> 98:7	153:6 158:16	113:3,12 114:1
<b>wasn't</b> 30:13 35:22 79:13 84:2 87:14 91:3 92:16 95:7 100:22 104:18 111:21 114:10 122:5 123:20 186:13 206:23 212:9 216:22 227:10 243:23 243:23 258:10 258:10 273:19 279:22 280:15 282:5	109:2 155:22 190:9 197:2 226:18 237:22 244:4 247:8 252:20 291:11 291:13	<b>Williams</b> 49:18 50:11 51:16 208:13 213:18 221:2	159:19 162:17 163:10,11,12 182:6 183:17 185:24 186:9,23	141:9 149:11 158:23 219:5 252:23 253:2,6 253:10,12,14,22 254:4 255:3 256:14 257:8,21 258:6,11,13
<b>waste</b> 127:16	<b>we've</b> 53:4 140:17 140:23 220:11	<b>willing</b> 18:7 <b>wish</b> 295:9 296:9 297:9	188:10,14 190:14,21,22,23 191:7 192:8,21	261:15 262:1 267:16 273:24 284:22
<b>wasting</b> 127:10,13 129:2	<b>web</b> 52:3	<b>withdraw</b> 29:2 <b>witness</b> 4:2 6:4,9 6:9,14,15,18 <b>Wednesday</b> 1:19 <b>weekly</b> 238:21 239:1	193:22 195:3 197:18 198:17 200:7 205:19 206:16 208:6	<b>word-of-mouth</b> 113:10 222:17
<b>watch</b> 122:7	<b>Wednesday</b> 1:19	14:11 17:15,16 19:7 20:16,20	214:9,17 228:8,9 228:10,16,24	<b>worded</b> 237:8
<b>watching</b> 57:8	<b>weekly</b> 238:21 239:1	<b>weigh</b> 182:4 <b>weighs</b> 181:24 <b>welcome</b> 40:9 104:18	229:1,2 230:24 236:10,13 238:6	<b>words</b> 8:21 35:6 60:21 76:20
<b>waterfowl</b> 14:2	<b>went</b> 30:8 31:4 44:9 57:13 71:10,12 74:1,4	27:5,21 28:9,15 29:12,19 30:5,23 31:19 32:3	238:10 242:1 250:3,11,17	232:8,10 237:17
<b>way</b> 25:12 26:10 29:3 30:22 35:15 42:12 57:5 60:2 64:2 72:13,16 94:7 109:18 156:16 161:15 202:3 205:5 212:1 217:18 224:1 235:4,4 276:21 277:20 278:16 299:16,18	74:8,19 104:15 107:2 135:22 150:13 198:19 199:9 203:21 204:14 216:10 226:7,13 260:21 263:14 282:22	37:7 38:13 39:7 39:18 40:6,10,15 41:13 42:9,20 45:8,15 47:19 50:16 51:19 52:13,15 58:5,6 61:1 62:22 66:9	276:3 279:3 289:13 291:10 293:13 295:1 296:1 297:1 298:11,21 299:3 299:10	<b>work</b> 10:20 28:12 28:21 29:16 50:20 54:21 58:1 68:3 72:8 94:12 116:15 137:6 152:15 194:21 201:13
<b>ways</b> 64:3,3 66:19	<b>west</b> 2:2,7 3:9 208:20	109:7 119:3 125:20,23 126:6	<b>witness's</b> 38:5 48:1	218:18 219:7,17 223:17 242:4,8 266:21 268:12
<b>we'll</b> 7:20 8:5 76:10,19 100:9 109:13 150:19 189:21 199:19 269:19 280:4 293:12	<b>whatever's</b> 244:15 <b>whatsoever</b> 117:16 119:21 217:18	126:9 127:15,23 128:10,18 129:1 129:7,10 131:17 137:17,20 138:2	<b>WOERNER</b> 3:5 231:3 285:9	<b>work-related</b> 157:23
<b>we're</b> 9:12 17:23 22:12 33:11	<b>whereof</b> 299:19 <b>whistled</b> 122:8,11 122:14	138:5 144:17 145:2 146:12 147:5 150:7,8	<b>woerner@dsla...</b> 3:4	<b>worked</b> 91:5 117:5 183:3
			<b>wolf</b> 245:11,12,17 245:20 246:2,10	217:3,5 223:11 234:4 248:24
			246:13 247:2,7 249:5,17,22	<b>working</b> 30:17 85:10,12 88:23
			250:23 251:7,7,9 251:15,23 252:2	133:5 223:19
			252:3,3 291:7,12 291:14,18 292:1	233:6 238:16
			292:20 293:1,7	245:3 257:12

John Scatchell, Jr.

August 5, 2020

Page 331

265:24	<b>year</b> 102:16	14:11 117:17	<b>178</b> 5:5,6	182:11,14,18,21
<b>works</b> 127:24	160:18 211:9,19	151:10,14,15,21	<b>17th</b> 73:14 114:17	183:8,20,23
<b>worried</b> 91:7	216:20 218:1	294:12 295:1	<b>18</b> 5:4 11:11,20	184:3,10,24
<b>worries</b> 221:7	234:4,5 240:24	<b>1:00</b> 1:20	104:13 267:6,6	194:20 195:6
<b>worse</b> 207:21	248:15 249:6,13	<b>10</b> 4:19	<b>184</b> 5:13	196:17 197:13
<b>wouldn't</b> 44:2	249:15 254:7,13	<b>1000</b> 1:18 298:9	<b>18th</b> 102:9	228:13 229:5
64:22 87:11	260:18 272:6	<b>105</b> 2:7	<b>19</b> 5:5 150:5	248:16 261:1
90:22 99:15	<b>year-to-year</b>	<b>11</b> 4:20 150:15	<b>190</b> 5:16	275:23,23
123:4 160:20	281:18	216:21	<b>193</b> 5:14,15	<b>2018</b> 10:19 33:19
220:6 292:4	<b>years</b> 46:10 48:24	<b>11:00</b> 103:12	<b>195</b> 2:18	111:15 146:12
<b>wrapping</b> 57:19	64:14 69:12	<b>12</b> 4:21 104:12	<b>2</b>	146:15 150:13
<b>write</b> 100:8	80:16,19 83:11	216:21		162:10 185:3
<b>writing</b> 27:10	90:8 91:5 92:3	<b>12:00</b> 260:7	<b>2</b> 296:1	194:7,20 195:7
203:10 299:2	92:10 94:4	<b>1213</b> 3:9	<b>2:00</b> 72:24	196:17 197:13
<b>written</b> 184:14,23	98:15 101:9	<b>13</b> 4:22 160:21	<b>20</b> 5:6,7 34:18	201:24 202:1,2
281:8,10,12,15	102:1 103:23	<b>1350</b> 2:8	102:1 215:9	205:2 233:7
282:14	132:5,15 139:16	<b>14</b> 4:23 160:22	<b>20-year</b> 283:9	234:7 266:20,22
<b>wrong</b> 63:23	154:3 215:9	253:24 284:22	<b>2000</b> 14:20 216:20	266:24 267:8
127:22 128:4	216:12,21 258:3	289:4	<b>2003</b> 91:4	<b>2018cv03989</b> 1:6
226:19	280:4 281:19,20	<b>1404</b> 2:3	<b>2012</b> 11:1 21:16	294:5 295:4
<b>wrote</b> 85:16	282:3,3,11	<b>142</b> 37:5,9,19 38:1	21:20 23:16	296:4 297:4
223:13	284:14 285:1,3	<b>1441</b> 3:3	287:20	<b>2020</b> 1:19 294:12
<b>X</b>	288:6	<b>146</b> 5:19	<b>2013</b> 160:19	294:21 298:7
<b>X</b> 4:1,8 5:1 6:20	<b>yesterday</b> 198:23	<b>149</b> 5:17,18	249:13 289:3	299:21
231:14 272:20	<b>yield</b> 51:14	<b>15</b> 4:24 148:5	<b>2014</b> 90:9 91:21	<b>20th</b> 31:6 36:5
285:10 291:4	<b>young</b> 259:22	227:18	150:24	38:16
<b>Y</b>	<b>Z</b>	<b>1500</b> 89:16	<b>2014-'15ish</b> 272:8	<b>21</b> 5:7,8 20:8,14
<b>yeah</b> 8:13 10:14	<b>zero</b> 226:18	<b>151</b> 4:11	<b>2015</b> 24:12 151:4	20:14,21,21,23
15:8,8 22:7,19	<b>0</b>	<b>152</b> 4:12	152:16 157:22	21:3,11 24:12
44:15 46:16	<b>08/05/2020</b> 20:9	<b>16</b> 161:20 276:3,5	161:13	<b>21st</b> 229:5
58:12 75:13	21:24 23:20	276:6	<b>2016</b> 25:5 117:6	<b>22</b> 5:8 21:23 22:3
85:7 115:6	24:17 25:9	<b>163</b> 4:13	161:6 163:17	23:4 146:11,15
117:19 120:2	26:22 36:23	<b>165</b> 4:14,16	254:15	<b>222-7000</b> 3:4
128:13,18	75:3 146:21	<b>166</b> 4:15	<b>2016/'17</b> 125:3	<b>228</b> 5:21,22
132:24 137:20	149:22 151:11	<b>17</b> 5:3 161:21	<b>2017</b> 16:20 17:1,5	<b>22nd</b> 89:16
140:14 161:12	152:5 163:3	260:23,24 276:2	31:7,23 32:10	147:13 186:6
192:5 204:12	184:19 190:17	285:1	34:18 38:17	229:5
208:7 220:18	193:4,16 198:8	<b>170</b> 4:17	71:8 73:14 74:1	<b>23</b> 5:9,9 23:19,23
233:11 234:20	228:3,20	<b>171</b> 4:18	74:4,8,16,20	24:9 79:22
245:10 247:7,14	<b>084-002890</b>	<b>172</b> 4:19	77:22,24 78:3	144:10
250:18 251:15	299:23	<b>173</b> 4:20	87:23 117:17	<b>231</b> 4:3,4
276:6 281:10		<b>174</b> 4:21,22	132:17 150:24	<b>2368</b> 147:2
291:11,23		<b>175</b> 4:23,24	158:4,6,21	<b>24</b> 5:10,10 24:16
		<b>176</b> 5:3,4	159:10 160:5	24:19

John Scatchell, Jr.  
August 5, 2020

Page 332

<b>248-3303</b> 2:4	<b>42</b> 37:8 198:7,10	<b>9</b> 4:18 33:19 48:24	
<b>24th</b> 157:22	198:11 199:24	182:13,18,21	
299:21	200:4,23 201:4	<b>90</b> 19:9	
<b>25</b> 5:11,11 25:8,11	<b>43</b> 5:21 228:2,5	<b>9th</b> 158:6,21	
25:20	<b>44</b> 5:22 228:19,22	159:10 160:4	
<b>25th</b> 1:18 163:17	229:4	162:10 182:10	
298:9	<b>466</b> 77:4,7,8	185:3 197:13	
<b>26</b> 5:12,12 23:16	<b>467-9800</b> 2:15		
26:21,24	<b>47</b> 5:23 75:2,6,15		
<b>272</b> 4:4	75:24 76:8,15		
<b>273</b> 4:5	77:3		
<b>2800</b> 2:14	<b>473-2968</b> 3:10		
<b>285</b> 4:5,6	<b>4th</b> 225:19		
<b>29</b> 184:7			
<b>291</b> 4:6,7	<b>5</b>		
<b>293</b> 4:7 294:12	<b>5</b> 1:19 4:14 294:12		
<b>2nd</b> 182:11	<b>50</b> 162:22		
	<b>500</b> 19:22		
<b>3</b>	<b>515</b> 2:14		
<b>3</b> 4:12 152:4,7	<b>5th</b> 298:7		
153:12 154:15			
157:4 297:1	<b>6</b>		
<b>3/31/17</b> 26:14,16	<b>6</b> 4:3,15		
<b>30</b> 5:13 184:18,21	<b>60143</b> 2:19		
<b>31</b> 21:15,19	<b>60402</b> 3:3		
<b>312</b> 2:4,9,15 3:10	<b>60602</b> 2:8		
<b>33</b> 5:14 193:3,6,12	<b>60603</b> 3:10		
<b>333</b> 2:18	<b>60654</b> 2:3,15		
<b>34</b> 5:15 193:15,18	<b>62</b> 66:2,5 114:2,7		
193:24	<b>630</b> 2:19		
<b>35</b> 5:16 190:12,16			
190:19	<b>7</b>		
<b>36</b> 5:17,18,20	<b>7</b> 4:16		
149:21 150:2,4	<b>702-0627</b> 2:9		
<b>360</b> 2:2	<b>708</b> 3:4		
	<b>75</b> 5:23		
<b>4</b>	<b>773-4774</b> 2:19		
<b>4</b> 4:13 163:2,8	<b>79</b> 3:9		
<b>4:00</b> 221:14 242:9			
260:7	<b>8</b>		
<b>4:01</b> 188:19	4:17 25:5		
<b>40</b> 5:19 146:20,24	<b>8:00</b> 221:14		
147:7	<b>8th</b> 228:13 253:20		
<b>41</b> 5:20 36:22 37:3			
37:6	<b>9</b>		

*John J. Scatchell v. Village of Melrose Park, et al.*  
Case No. 2018 C 3989

# John A. Scatchell (aka “Jr.)

## Deposition Exhibits



# **EXHIBIT 1**



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Chief of Police

To: Chief Sam Pitassi

From: OFC. John A. Scatchell #23

Date: 16 FEB 15

Ref: Injury

In summary, on 03 FEB 15 at 20:29, I responded to an unwanted subject call outside Gottlieb's emergency room. Upon arrival, I encountered a subject who was highly combative, making violent threats, and refusing to listen to verbal commands. OFC Loochtan #91 and I had to physically restrain the subject as he attempted re-entry into the emergency room lobby, where he was not wanted. Upon placing our hands on the subjects' arms, the subject tensed up and attempted to break free of our grasp. At that time the subject then fell forward in an attempt to break free, causing himself, myself, and OFC Loochtan to fall to the ground. The subject was then detained and taken into the hospital for a psychiatric evaluation.

I did not immediately realize any injury was sustained during the interaction, but felt discomfort in the upper back and neck region later that evening from the fall. On the following day I woke up with severe neck and back pain, with a loss of range of motion in the neck. On 05 FEB 15, I made an appointment with Dr. Paulette N. Feiereisel and notified Lt. Rogowski of the injury via text message. Dr. Feiereisel diagnosed me with a cervical strain, and provided me with a note to remain off work. I provided Lt. Rogowski with the initial note and any notes that followed, until being cleared to return to duty on 16 FEB 15.

Respectfully submitted,

OFC. John A. Scatchell #23

1 North Broadway • Melrose Park, Illinois 60160 • (708) 344-8409

[www.mppd.com](http://www.mppd.com)

VMP/SCATCHELL JR 110

CHIEF'S EXHIBIT

# **EXHIBIT 2**

**ILLINOIS FORM 45: EMPLOYER'S FIRST REPORT OF INJURY***Please type or print.*

Employer's FEIN <b>36-60005996</b>	Date of report <b>02/6/15</b>	Case or File #	Is this a lost workday case? <b>Yes</b>
Employer's name <b>Village of Melrose Park</b>		Doing business as	
Employer's mailing address <b>1000 N. 25<sup>th</sup> AV Melrose Park IL 60160</b>		Employer's email address	
Nature of business or service <b>Municipality</b>		SIC code	
Name of workers' compensation carrier/admin. 		Policy/Contract #	Self-insured? <b>Yes</b>
Employee's full name <b>John Scatchell</b>		Birthdate <b>12/09/88</b>	
Employee's mailing address <b>912 Norwood AV Melrose Park IL 60160</b>		Employee's e-mail address	
Gender <b>Male</b>	Marital status <b>Single</b>	# Dependents <b>0</b>	Employee's average weekly wage
Job title or occupation <b>Police Patrol Officer</b>		Date hired <b>09/26/12</b>	
Time employee began work <b>400 P.M.</b>	Date and time of accident <b>02/03/15 829PM</b>		Last day employee worked <b>02/03/15</b>
If the employee died as a result of the accident, give the date of death. <b>No</b>		Did the accident occur on the employer's premises? <b>No</b>	
Address of accident <b>701 W. North AV Melrose Park IL 60160</b>			
What was the employee doing when the accident occurred? <b>Employee was at a disturbance call at Gottlieb Hospital</b>			
How did the accident occur? <b>Employee struggled with a disorderly subject.</b>			
What was the injury or illness? List the part of body affected and explain how it was affected. <b>Pain in the back and neck described as a cervical strain.</b>			
What object or substance, if any, directly harmed the employee? <b>Unknown at time of report</b>			
Name and address of physician/health care professional <b>Paulette N Feierseisel NP</b>			
If treatment was given away from the worksite, list the name and address of the place it was given. <b>Westside Medical Associates 675 W. North Av Suite 330 Melrose Park IL 60160 708-450-5060</b>			
Was the employee treated in an emergency room? <b>Yes</b>		Was the employee hospitalized overnight as an inpatient? <b>Yes</b>	
Report prepared by <b>Steven Rogowski</b>	Signature 	Title and telephone # <b>Lieutenant 708-345-9029</b>	Email address <b>srogowski@rkpd.com</b>

Please send this form to: ILLINOIS WORKERS' COMPENSATION COMMISSION 4500 S. SIXTH ST. FRONTAGE ROAD SPRINGFIELD, IL 62703-5118  
 By law, employers must keep accurate records of all work-related injuries and illness (except for certain minor injuries). Employers shall report to the Commission all injuries resulting in the loss of more than three scheduled workdays. Filing this form does not affect liability under the Workers' Compensation Act and is not incriminatory in any sense. This information is confidential. IC45 8/12

*Scatchell Dep Ex No. 6*  
 for ID, as of 1/9/15

VMP/SCATCHELL JR 105

CHIEF'S EXHIBIT

# **EXHIBIT 3**

**DuPage Medical Group**  
WE CARE FOR YOU

**WESTSIDE MEDICAL ASSOCIATES MELROSE  
PARK INTERNAL MEDICINE; MEMBER OF  
DUPAGE MEDICAL GROUP**  
**675 West North Avenue  
Suite 303  
Melrose Park IL 60160  
708-450-5060**

April 2, 2015

To whom it may concern:

This is to certify that John A Scatchell, date of birth: 12/9/1988:

Starting Saturday April 4th, John can return to work light duty for 4 hours a day for one week, then 6 hours a day for one week, then 8 hours a day for one week. He may return to full unrestricted duty April 24, 2015

The patient was seen on at our office today for an evaluation

Please call if you have further questions,

  
PAULETTE N FEIEREISEL, NP

This letter (including any attachments) contains confidential information intended only for the addressee. Any use or disclosure by any other person is unlawful. If you are not the intended recipient, please notify our office immediately (630-469-9200) and we will make arrangements for the return of the information to DuPage Medical Group. You are hereby notified that any disclosure, copying, or distribution of this letter, or the taking of any action based on it, is strictly prohibited by law.

John A Scatchell, GE11793006, 12/9/1988

VMP/SCATCHELL JR 118

CHIEF'S EXHIBIT \_\_\_\_

# **EXHIBIT 4**

LYME DISEASE, TOTAL AB W RFLX (Resulted 12/9/2016, Abnormal)  
B. BURGDORFERI AB, IGM BY WESTERN BLOT REFLEX (Resulted 12/12/2016)  
CBC W/ DIFFERENTIAL (Resulted 12/9/2016)  
CBC WITH DIFFERENTIAL WITH PLATELET (Resulted 12/9/2016)  
LYME DISEASE ANTIBODY  
LYME DISEASE ANTIBODY  
LYME DISEASE ANTIBODY  
OFFICE/OUTPT VISIT,EST,LEVL III

## Medication Changes

As of 12/9/2016 3:04 PM

	Refills	Start Date	End Date
<b>Added: Doxycycline Hydiate 100 MG Oral Tab</b>	0	12/9/2016	12/19/2016

Take 1 tablet (100 mg total) by mouth 2 (two) times daily. - Oral

## Visit Diagnoses

Rash R21

## John A Scatchell

8/25/2016 12:30 PM Office Visit  
MRN: GE11793006

Description: 27 year old male Provider: Sandoval, Maryam, MD Department: Brush Hill Im

## Scanning Cover Sheet

[Click to print Barcode Encounter Cover Sheet for scanning](#)

## Scatchell, John A

MRN: GE11793006  
Description: 27 year old male

**Office Visit 8/25/2016** Provider: Sandoval, Maryam, MD (Internal Medicine)  
**DMG INTERNAL MEDICINE -** Primary diagnosis: Reactive cervical lymphadenopathy  
**ELMHURST, BRUSH HILL** Reason for Visit: Therapeutic Management

### Reason for Visit

Therapeutic Management

### Progress Notes

Sandoval, Maryam, MD (Physician) • Internal Medicine

John A Scatchell is a 27 year old male.

CC:

Patient presents with:

Therapeutic Management

### HPI:

27 yo male. Asked to be seen acutely . Reports noticing a uncomfortable lump on his left anterior neck (below jawline) for 3 days. No sore throat or cough. No recent fevers. Has chronic allergies and using flonase and singulair daily. Also, had felt a bump on his lower back of neck a few days ago that has now disappeared. Became alarmed after looking up causes on Web MD and decided to seek care.  
No weight loss. No diaphoresis or night sweats. Appetite is good. No sick exposures

<b>Current Outpatient Prescriptions:</b>			
Fluticasone Propionate (FLONASE) 50 MCG/ACT Nasal Suspension	PLACE 1 SPRAY IN EACH NOSTRIL TWICE DAILY	Disp: 1 Bottle	Rfl: prn
Montelukast Sodium (SINGULAIR) 10 MG Oral Tab	TAKE 1 TABLET BY MOUTH EVERY EVENING	Disp: 90 tablet	Rfl: 3
<b>Past Medical History</b>			
Diagnosis	Date		
• Allergic rhinitis			
<b>Social History:</b>			
Smoking Status: Never Smoker			
Smokeless Status: Never Used			
Alcohol Use: No			

**REVIEW OF SYSTEMS:****GENERAL HEALTH:** No fever. No chills. No diaphoresis**ENT:** No sore throat or congestion**RESPIRATORY:** No shortness of breath. No cough. No wheezing**GI:** No abdominal pain. No diarrhea. No constipation. No N/V. Appetite good**SKIN:** no rash or itching**EXAM:**

BP 98/65 mmHg | Pulse 75 | Temp(Src) 98.2 °F (36.8 °C) | Wt 224 lb (101.606 kg)

**GENERAL:** young, pleasant white male in no distress**HEENT:** Normocephalic, no visual deficits, no pharyngeal exudates, +posterior pharynx cobblestoning**NECK:** very minimal small mobile left anterior chain cervical LN tenderness**LUNGS:** Clear to auscultation bilaterally. No wheezes. No crackles.**SKIN:** No rash. No suspicious lesions.**ASSESSMENT AND PLAN:**

Diagnoses and all orders for this visit:

**Reactive cervical lymphadenopathy in a patient with****Allergic rhinitis**

Reassured pt in great length.

No evidence of abnormal lymphadenopathy.

Asked pt to stop massaging and palpating the LN to prevent enlargement/reactive reaction.

No signs of infection and no need for oral abx at this time.

-motrin prn pain

-hydration

-will call with any acute changes.

**Orders Placed This Encounter**

EST Lev II [99212]

**Meds & Refills for this Visit:**

No prescriptions requested or ordered in this encounter

**Imaging & Consults:**

None

Maryam Sandoval, MD

## Instructions

DMG AFTER VISIT SUMM (Automatic SnapShot taken 8/25/2016)

## Additional Documentation

Vitals: BP 98/65 Pulse 75 Temp 98.2 °F (36.8 °C) Wt 224 lb BMI 34.06 kg/m<sup>2</sup> BSA 2.14 m<sup>2</sup>

[More Vitals](#)

Flowsheets: Custom Formula Data, DMG TEMP FOR BP BPA COMPARE

Encounter Info: Billing Info, History, Allergies, Detailed Report

## Encounter Status

Electronically signed by Sandoval, Maryam, MD on 8/25/16 at 2:00 PM

## Additional Encounter Details

[Scanning Cover Sheet](#)

[All Scans](#)

[Questionnaire Details](#)

[Referral Information](#)

[Elm Time Out](#)

[Administrative Information](#)

[Coding Query](#)

## SmartForms

No SmartForms are associated with this patient.

## Infusion Orders

No relevant orders to display.

## Medication Waste Documentation

No orders found for this encounter

## Orders Placed

OFFICE/OUTPT VISIT,EST,LEVL II

## Medication Changes

As of 8/25/2016 12:16 PM

None

## Visit Diagnoses

Reactive cervical lymphadenopathy R59.0

Allergic rhinitis due to other allergic trigger J30.89

# **EXHIBIT 5**

## Orders Placed

CBC WITH DIFFERENTIAL WITH PLATELET (Resulted 10/31/2017, Abnormal)  
 COMP METABOLIC PANEL (14) (Resulted 10/31/2017)  
 SED RATE, WESTERGREN (AUTOMATED) (Resulted 10/31/2017)  
 OFFICE/OUTPT VISIT,EST,LEVL III

## Medication Changes

As of 10/31/2017 3:59 PM

	Refills	Start Date	End Date
<b>Added: predniSONE 20 MG Oral Tab</b>	0	10/31/2017	11/7/2017
Take 1 tablet (20 mg total) by mouth 2 (two) times daily. - Oral			
<b>Calcipotriene</b>			
Discontinued: Calcipotriene 0.005 % External Solution (Patient discontinued)			
Discontinued: CALCIPOTRIENE 0.005 % External Cream (Patient discontinued)			
Discontinued: Clindamycin Phosphate 1 % External Lotion (Patient discontinued)			
<b>Clobetasol Propionate</b>			
Discontinued: Clobetasol Propionate 0.05 % External Cream (Duplicate therapy)			
Discontinued: Clobetasol Propionate 0.05 % External Solution (Patient discontinued)			

## Visit Diagnoses

Neck fullness R22.1  
 Cervical radiculopathy M54.12

## Immunizations Given

Not given: Influenza Vaccine Refused Deferred (Patient Refused)

## John A Scatchell

1/12/2017 1:00 PM Office Visit  
 MRN: GE11793006

Description: 28 year old male Provider: Sandoval, Maryam, MD Department: Brush Hill Im

## Scanning Cover Sheet

Click to print Barcode Encounter Cover Sheet for scanning

## Scatchell, John A

MRN: GE11793006  
 Description: 28 year old male

**Office Visit** 1/12/2017      Provider: Sandoval, Maryam, MD (Internal Medicine)  
 DMG INTERNAL MEDICINE -      Primary diagnosis: Guttate psoriasis  
 ELMHURST, BRUSH HILL      Reason for Visit: Rash

### Reason for Visit

Rash

## Progress Notes

Sandoval, Maryam, MD (Physician) • Internal Medicine

John A Scatchell is a 28 year old male.  
 CC:

Patient presents with:  
Rash

**HPI:**

28 yo male.  
No significant improvement in rash that developed one month ago. Diagnosed with "guttate psoriasis" at NWMH. Unable to return due to insurance restrictions.  
Finished course of doxycycline and remains on topical steroid creams bid. Lesions are not itchy. Slight reduction in anterior torso but worsened on arm and legs.  
Tried tanning but did not notice a great change. Frustrated with lack of change. Has not touched base with derm at NW.

**Current Outpatient Prescriptions:**

Fluticasone Propionate 50 MCG/ACT Nasal Suspension	1 spray by Nasal route 2 (two) times daily as needed	Disp: 1 Bottle Rfl: prn for Rhinitis.
Montelukast Sodium 10 MG Oral Tab	Take 1 tablet (10 mg total) by mouth daily.	Disp: 90 tablet Rfl: 3
Fexofenadine HCl (ALLEGRA ALLERGY) 180 MG Oral Tab	Take 180 mg by mouth daily.	Disp: Rfl:

**Past Medical History**

Diagnosis Date  
• Allergic rhinitis

**Social History:**

Smoking Status: Never Smoker  
Smokeless Status: Never Used  
Alcohol Use: No

**REVIEW OF SYSTEMS:**

**GENERAL HEALTH:** No fever. No chills.  
**ENT:** No sore throat or congestion  
**RESPIRATORY:** No shortness of breath. No cough. No wheezing  
**CARDIOVASCULAR:** No chest pain. No palpitations.  
**GI:** No abdominal pain. No diarrhea. No constipation. No N/V. Appetite good  
**MS:** No joint swelling, no warmth, no tenderness  
**SKIN:** Non itchy rash.

**EXAM:**

Temp(Src) 98.2 °F (36.8 °C) (Oral) | Wt 220 lb (99.791 kg)  
**GENERAL:** pleasant young male  
**HEENT:** Normocephalic, no visual deficits, no pharyngeal exudates  
**NECK:** No lymphadenopathy or masses palpable  
**LUNGS:** Clear to auscultation bilaterally. No wheezes. No crackles.  
**SKIN:** multiple, wide spread lesions on arms, legs, frontal scalp and torso (slightly raised erythematous lesions that are scaly and annular appearing)

**ASSESSMENT AND PLAN:**

Diagnoses and all orders for this visit:

**Guttate psoriasis**

- EVALUATE & TREAT, DERM (DMG)

Will refer to derm.

Will call in names of topical creams prescribed at NWMH.

**Meds & Refills for this Visit:**

No prescriptions requested or ordered in this encounter

**Imaging & Consults:**

EVALUATE & TREAT, DERM (DMG)

Maryam Sandoval, MD

**Instructions**

DMG AFTER VISIT SUMM (Automatic SnapShot taken 1/12/2017)

**Additional Documentation**

Vitals: Temp 98.2 °F (36.8 °C) (Oral) Wt 220 lb BMI 33.45 kg/m<sup>2</sup> BSA 2.13 m<sup>2</sup>

Flowsheets: Custom Formula Data, CAGE Flowsheet, PHQ2 Depression Screen

Encounter Info: Billing Info, History, Allergies, Detailed Report

**Encounter Status**

Electronically signed by Sandoval, Maryam, MD on 1/12/17 at 2:09 PM

**Additional Encounter Details**

Scanning Cover Sheet

All Scans

Questionnaire Details

Referral Information

Elm Time Out

Administrative Information

Coding Query

**SmartForms**

No SmartForms are associated with this patient.

**Infusion Orders**

No relevant orders to display.

**Medication Waste Documentation**

No orders found for this encounter

**Orders Placed**

EVALUATE & TREAT, DERM (DMG) Authorized  
OFFICE/OUTPT VISIT,EST,LEVL II

**Medication Changes**

As of 1/12/2017 1:05 PM

None

# **EXHIBIT 6**

~~CONFIDENTIAL~~**John A Scatchell**10/31/2017 3:00 PM, Office Visit  
MRN: GE11793006

Description: 28 year old male Provider: Sandoval, Maryam, MD Department: Brush Hill Jm

**Scanning Cover Sheet**

Click to print Barcode Encounter Cover Sheet for scanning

**Scatchell, John A**MRN: GE11793006  
Description: 28 year old male**Office Visit 10/31/2017**

Provider: Sandoval, Maryam, MD (Internal Medicine)

**DMG INTERNAL MEDICINE -**

Primary diagnosis: Neck fullness

**ELMHURST, BRUSH HILL**

Reason for Visit: Neck Pain

**Reason for Visit**

Neck Pain

**Progress Notes**

Sandoval, Maryam, MD (Physician) • Internal Medicine

John A Scatchell is a 28 year old male.

CC:

Patient presents with:

Neck Pain

**HPI:**

28 yo male who was asked to be seen for acute visit. Accompanied by his parents.

Pt reports waking up with severe right sided neck pain 3 days ago with radiation to shoulder, down arms to finger tips. Associated with numbness and tingling. Unable to recall any kind of trauma, heavy lifting, pushing or pulling. Has been very relaxed and on vacation. Has a very firm, comfortable mattress and pillow.

Additionally, has noticed bulging of muscles in his neck as compared to the left side. Pain free while flat in bed. Worse with movement.

No fevers or chills. No sore throat, cough, ear pressure or rash.

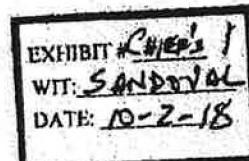
Was being treated with Stelara injections but with resolution of his skin changes, injections were stopped over 2 months ago.

**Current Outpatient Prescriptions:**prednISONE 20 MG Oral Tab Take 1 tablet (20 mg total) Disp: 14 tablet Rf: 0  
by mouth 2 (two) times daily.FLUTICASONE PROPIONATE  
50 MCG/ACT Nasal Suspension USE 1 SPRAY NASALLY  
TWICE DAILY AS NEEDED Disp: 1 Bottle Rf: 5  
FOR RHINITISMontelukast Sodium 10 MG Oral Tab Take 1 tablet (10 mg total) Disp: 30 tablet Rf: 1  
by mouth daily.Fexofenadine HCl (ALLEGRA  
ALLERGY) 180 MG Oral Tab Take 180 mg by mouth daily. Disp: Rf:**Past Medical History:**

Diagnosis:

Date

- Allergic rhinitis

**Social History:**

MPD/SCATCHELL 383

**CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER**

VMP/JJS 2138

**CONFIDENTIAL**

Smoking status: Never Smoker

Smokeless tobacco: Never Used

Alcohol use: No

**REVIEW OF SYSTEMS**

**GENERAL HEALTH:** No fever. No chills. No diaphoresis

**ENT:** No sore throat or congestion.

**RESPIRATORY:** No shortness of breath. No cough. No wheezing

**CARDIOVASCULAR:** No chest pain. No palpitations.

**GI:** No abdominal pain. No diarrhea. No constipation. No N/V. Appetite good

**MS:** Right sided neck pain with radiation down right arm to finger tips

**PSYCH:** No anxiety. No depression.

**SKIN:** No lesions. No rash.

**EXAM:**

BP 107/65 | Pulse 99 | Temp 98 °F (36.7 °C) | W 228 lb (103.4 kg) | BMI 34.67 kg/m<sup>2</sup>

**GENERAL:** Young male, pain with head movement. No distress otherwise

**HEENT:** Normocephalic, no visual deficits, no pharyngeal exudates

**NECK:** No lymphadenopathy or masses palpable

**LUNGS:** Clear to auscultation bilaterally. No wheezes. No crackles.

**CARDIO:** S1 S2, regular, no S3, no murmurs

**MS:** No vertebral tenderness, right paracervical tenderness and right neck fullness without lymphadenopathy or reproducible pain

**NEURO:** Normal triceps and biceps reflexes in bilateral upper ext

No tremors or weakness noted.

**SKIN:** No rash. No suspicious lesions.

**ASSESSMENT AND PLAN**

Diagnoses and all orders for this visit:

**Cervical radiculopathy with**

**Neck fullness**

No reproducible tenderness or lymphadenopathy.

Positional pain which is radiating most consistent with cervical nerve impingement.

No superimposed infectious sx's or findings noted.

In light of hx of stelara use (but cessation 2 months ago), will check labs including ESR and CBC.

Hold off on imaging.

One week course of prednisone.

If not better, may need to pursue imaging.

Asked pt to call with any change in sx's and with update.

No heavy lifting, pushing or pulling. Will be on vacation until 11/9.

**Other orders**

- INFLUENZA REFUSED DMG
- prednISONE 20 MG Oral Tab; Take 1 tablet (20 mg total) by mouth 2 (two) times daily.

Annual Physical due on 12/09/1990

Influenza Vaccine(1) due on 09/01/2017

Annual Depression Screen due on 01/12/2018

**Orders Placed This Encounter**

CBC With Differential With Platelet

MPD/SCATCHELL 384

**CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER**

VMP/JJS 2139

Comp Metabolic Panel (14)  
Sed Rate, Westergren (Automated)  
**INFLUENZA REFUSED DMG**

Meds & Refills for this Visit:

Signed Prescriptions

prednISONE 20 MG Oral Tab

Sig: Take 1 tablet (20 mg total) by mouth 2 (two) times daily.

Disp 14  
Refills 0  
tablet

**CONFIDENTIAL**

Imaging & Consults:

**INFLUENZA REFUSED DMG**

Maryam Sandoval, MD

**Instructions**

After Visit Summary (Printed 10/31/2017)

**Additional Documentation**

Vitals: BP 107/65 Pulse 99 Temp 98 °F (36.7 °C) Wt 228 lb BMI 34.67 kg/m<sup>2</sup> BSA 2.16 m<sup>2</sup>

More Vitals

Flowsheets: Custom Formula Data, DMG TEMP FOR BP BPA COMPARE

Encounter Info: Billing Info, History, Allergies, Detailed Report

**Encounter Status**

Electronically signed by Sandoval, Maryam, MD on 10/31/17 at 9:20 PM

**Additional Encounter Details**

Scanning Cover Sheet

All Scans

Questionnaire Details

Referral Information

Elm Time Out

Administrative Information

Coding Query

**SmartForms**

No SmartForms are associated with this patient.

**Infusion Orders**

No relevant orders to display.

**Medication Waste Documentation**

MPD/SCATCHELL 365

**CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER**

VMP/JJS 2140

**CONFIDENTIAL****Orders Placed**

CBC WITH DIFFERENTIAL WITH PLATELET (Resulted 10/31/2017, Abnormal)  
 COMP METABOLIC PANEL (14) (Resulted 10/31/2017)  
 SED RATE, WESTERGREN (AUTOMATED) (Resulted 10/31/2017)  
 OFFICE/OUTPT VISIT,EST,LEVL III

**Medication Changes**

As of 10/31/2017 3:59 PM

	Refills	Start Date	End Date
Added: prednISONE 20 MG Oral Tab Take 1 tablet (20 mg total) by mouth 2 (two) times daily. - Oral	0	10/31/2017	11/7/2017
<b>Calcipotriene</b>			
Discontinued: Calcipotriene 0.005 % External Solution (Patient discontinued)			
Discontinued: CALCIPOTRIENE 0.005 % External Cream (Patient discontinued)			
Discontinued: Clindamycin Phosphate 1 % External Lotion (Patient discontinued)			
<b>Clobetasol Propionate</b>			
Discontinued: Clobetasol Propionate 0.05 % External Cream (Duplicate therapy)			
Discontinued: Clobetasol Propionate 0.05 % External Solution (Patient discontinued)			

**Visit Diagnoses**

Neck fullness R22.1  
 Cervical radiculopathy M54.12

**Immunizations Given**

Not given: Influenza Vaccine Refused Deferred (Patient Refused)

**John A Scatchell**1/12/2017 3:00 PM Office Visit  
MRN: GE11793006

Description: 28 year old male Provider: Sandoval, Maryam, MD Department: Brush Hill,IM

**Scanning Cover Sheet**

Click to print Barcode Encounter Cover Sheet for scanning

**Scatchell, John A**MRN: GE11793006  
Description: 28 year old male**Office Visit 1/12/2017**

Provider: Sandoval, Maryam, MD (Internal Medicine)

DMG INTERNAL MEDICINE -

Primary diagnosis: Guttate psoriasis.

ELMHURST, BRUSH HILL

Reason for Visit: Rash

**# Reason for Visit**

Rash

**Progress Notes**

Sandoval, Maryam, MD (Physician) • Internal Medicine

John A Scatchell is a 28 year old male.

CC:

MPD/SCATCHELL 386

**CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER**

VMP/JJS 2141

# **EXHIBIT 7**

Scatchell, John A (MR # GE11793006)

Encounter Date: 03/10/2015

I sent you the note via MyChart. Let me know if you need a note to return to work too.  
Hope you continue to feel better with rest and the new medications.  
These neck problems can drag on for weeks but should definitely improve over the next week.  
Keep me posted.

Dr. S

Last read by John A Scatchell at 5:02 PM on 11/9/2017.

**CONFIDENTIAL**

Cozzi, Karen, CMA routed this conversation to Sandoval, Maryam, MD

3:31 PM

John A Scatchell to Maryam Sandoval, MD

I'm not sure, I still haven't improved much. Last night I felt better and today not so much. Maybe until Friday and see how I feel as the week progresses? 11:55 AM

Sandoval, Maryam, MD to John A Scatchell

11:28 AM

I would be happy to give you a note.  
Do you want to shoot for a return next week?  
Mon? Tuesday? Later?  
Just write me back ASAP and I will draft the letter and send it to you via MyChart.

Best,  
Dr. Sandoval

Last read by John A Scatchell at 11:29 AM on 11/9/2017.

EXHIBIT 1 CHIEF'S Z  
WIT: SANDOVAL  
DATE: 10-2-19

November 8, 2017

Gibson, Regine routed this conversation to Sandoval, Maryam, MD

9:39 AM

Gibson, Regina

9:38 AM

Note:  
From: John A Scatchell  
To: Sandoval, Maryam, MD  
Sent 11/7/2017 9:24 PM CST  
Subject: Visit Follow-up Question

Hi Dr, sorry we've been playing phone tag the last day or so. I picked up both prescriptions and started those this evening. Would it be possible to have a note for

MS 021

Scatchell, John A (MR # GE11793006) Printed by Biggs, Fay K. [7313] at 5/22/18 2:4... Page 20 of 66

**CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER**

VMP/JJS 2142

Scatchell, John A (MR # GE11793006)

Encounter Date: 03/10/2015

: work? I am supposed to return to work on Thursday the 9th. As of now I'm still in a lot  
of pain and have been using the heating pad often. The swelling has gone down a  
little, but it is still visible and the numbness/tingling sensation has been more  
prevalent in recent days down my right shoulder and arm.

**CONFIDENTIAL**

November 7, 2017

John A Scatchell to Maryam Sandoval, MD



Hi Dr, sorry we've been playing phone tag the last day or so. I picked up both prescriptions and started those this evening. Would it be possible to have a note for work? I am supposed to return to work on Thursday the 9th. As of now I'm still in a lot of pain and have been using the heating pad often. The swelling has gone down a little, but it is still visible and the numbness/tingling sensation has been more prevalent in recent days down my right shoulder and arm.

#### Additional Documentation

Encounter Info: Billing Info, History, Allergies, Detailed Report

#### Communications

Letter sent to John A Scatchell  
Sent 11/9/2017

#### Encounter Status

Closed by Sandoval, Maryam, MD on 11/9/17 at 3:53 PM

#### Additional Encounter Details

Scanning Cover Sheet  
All Scans  
Questionnaire Details  
Administrative

#### Orders Placed

None

#### Medication Renewals and Changes

As of 11/9/2017 3:53 PM

None

#### Visit Diagnoses

None

**John A Scatchell**

11/6/2017 Telephone  
MRN: GE11793006

Description: 28 year old male Provider: Sandoval, Maryam, MD Department: Highland Internal MHS 022

Scatchell, John A (MR # GE11793006) Printed by Biggs, Fay K. [7313] at 5/22/18 2:4... Page 21 of 66

**CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER**

VMP/JJS 2143

# **EXHIBIT 8**

Name: John A. Scatchell | DOB: 12/9/1988 | MRN: GE11793006 | PCP: MARYAM SANDOVAL, MD.

## Letter Details

DuPage Medical Group  
WE CARE FOR YOU

DMG INTERNAL MEDICINE - ELMHURST,  
BRUSH HILL  
133 Brush Hill Road  
Suite 401  
Elmhurst IL 60126  
630-832-2000

November 9, 2017

**CONFIDENTIAL**

To whom it may concern:

I am the primary care physician for your employee, Mr. John Scatchell. He was seen and evaluated by myself in the office for an acute musculoskeletal condition that has not yet resolved. He remains on active treatment and has been advised to continue to rest at home. Please excuse the patient from work until further notice.

Thank you for your understanding and cooperation. Please call with any remaining questions.

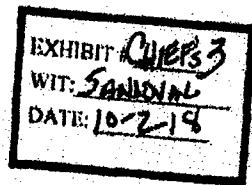
Sincerely,

Maryam N. Sandoval, MD

This letter was initially viewed by John A Scatchell at 11/9/2017 4:30 PM.

MyChart® licensed from Epic Systems Corporation. © 1999 - 2016

*Scatchell, J*  
Rep Ex No. 8  
for ID, as of 11/9/18



VMP/SCATCHELL JR 120

**CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER**

VMP/JJS 2144

# **EXHIBIT 9**

Scatchell, John A (MR # GE11793006)

Encounter Date: 03/10/2015

Cozzi, Karen, CMA routed this conversation to Sandoval, Maryam, MD. 11/21/17 3:24 PM

Cozzi, Karen, CMA

Note

11/21/17 3:24 PM

From: John A Scatchell  
To: Sandoval, Maryam, MD  
Sent: 11/21/2017 2:07 PM CST  
Subject: Visit Follow-up Question

Hi Dr Sandoval,

I just wanted to touch base with you. I still have a considerable amount of pain, particularly if I don't take any pills for a prolonged period of time. The numbness in my right arm comes and goes all day. Also if I move my neck too fast or too far, I get a quick shooting sensations down my whole arm. I haven't been engaged in really any activity at all except stretches and have been applying heat/cold around the clock.

**CONFIDENTIAL**

John A Scatchell to Maryam Sandoval, MD

Hi Dr Sandoval,

11/21/17 2:07 PM

I just wanted to touch base with you. I still have a considerable amount of pain, particularly if I don't take any pills for a prolonged period of time. The numbness in my right arm comes and goes all day. Also if I move my neck too fast or too far, I get a quick shooting sensations down my whole arm. I haven't been engaged in really any activity at all except stretches and have been applying heat/cold around the clock.

#### Additional Documentation

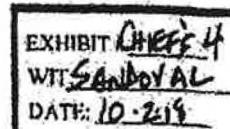
Encounter Info: Billing Info, History, Allergies, Detailed Report

#### Encounter Status

Closed by Sandoval, Maryam, MD on 11/21/17 at 3:56 PM

#### Additional Encounter Details

Scanning Cover Sheet  
All Scans  
Questionnaire Details  
Administrative



#### Orders Placed

EMG/NCV TEST(S), PHYSIATRY (DMG) Authorized

MS:018

Scatchell, John A (MR # GE11793006) Printed by Biggs, Ray K. [7313] at 5/22/18 2:4... Page 17 of 66

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/JJS 2145

# **EXHIBIT 10**

Scatchell, John A (MR # GE11793006)

Encounter Date: 03/10/2015

Best,  
Dr. Sandoval

Last read by John A Scatchell at 12:47 PM on 11/27/2017.

Cozzi, Karen, CMA routed this conversation to Sandoval, Maryam, MD

7:12 AM

Cozzi, Karen, CMA

Note

7:12 AM

From: John A Scatchell  
To: Sandoval, Maryam, MD  
Sent: 11/26/2017 9:52 PM CST  
Subject: Visit Follow-up Question

**CONFIDENTIAL**

Hi Dr Sandoval,

I scheduled my appointment the day you messaged me. The earliest that they could get me in at any of their locations is December 4th, so that's the date I took. Would it be possible to get an updated Dr's note for work that allows me to do light exercise? I feel the best after I stretch and then silly heat/cold. The last few days has been better on the pain, but the numbness still persists.

Thanks

EXHIBIT *Litter's 5*  
WIT: *SANDOVAL*  
DATE: *10-2-18*

November 26, 2017

John A Scatchell to Maryam Sandoval, MD



Hi Dr. Sandoval,

9:52 PM

I scheduled my appointment the day you messaged me. The earliest that they could get me in at any of their locations is December 4th, so that's the date I took. Would it be possible to get an updated Dr's note for work that allows me to do light exercise? I feel the best after I stretch and then silly heat/cold. The last few days has been better on the pain, but the numbness still persists.

Thanks

### Additional Documentation

Encounter Info: Billing Info, History, Allergies, Detailed Report

### Communications

MS 016

Scatchell, John A (MR # GE11793006) Printed by Biggs, Fay K. [7313] at 5/22/18 2:4... Page 15 of 66

**CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER**

VMP/JJS 2146

# **EXHIBIT 11**

Scatchell, John A (MR # GE11793006)

Encounter Date: 03/10/2015

## John A Scatchell

Description: 28 year old male Provider: Sandoval, Maryam, MD Department: Brush Hill Im

11/27/2017 Patient Email  
MRN: GE11793006

## Scatchell, John A

MRN: GE11793006  
Description: 28 year old male

Patient Email 11/27/2017 Provider: Sandoval, Maryam, MD (Internal Medicine)  
DMG INTERNAL MEDICINE -  
ELMHURST, BRUSH HILL

### Conversation: Visit Follow-up Question

(Newest Message First)

Sandoval, Maryam, MD



Note

11/27/17 6:28 PM



Already called pt and sent new letter.

Cozzi, Karen, CMA routed this conversation to Sandoval, Maryam, MD

11/27/17 1:17 PM



Cozzi, Karen, CMA



Note

11/27/17 1:17 PM



From: John A Scatchell  
To: Sandoval, Maryam, MD  
Sent: 11/27/2017 12:43 PM CST  
Subject: Visit Follow-up Question

**CONFIDENTIAL**

Hi Dr Sandoval,

Sorry to be a bother. I was hoping to remain off work and be able to exercise lightly (walking/stretching/light cardio) until the results of the test on the 4th. Light duty at work would entail me sitting around all day and doing almost nothing. I did light duty the last time I was hurt a few years ago and sitting around all day in a chair made me feel worse.

EXHIBIT C-HIEF'S  
WIT: SANDOVAL  
DATE: 10-2-19

John A Scatchell to Maryam Sandoval, MD



Hi Dr Sandoval,

11/27/17 12:43 PM

Sorry to be a bother. I was hoping to remain off work and be able to exercise lightly (walking/stretching/light cardio) until the results of the test on the 4th. Light duty at work would entail me sitting around all day and doing almost nothing. I did light duty

MS 014

Scatchell, John A (MR # GE11793006) Printed by Biggs, Fay K. [7313] at 5/22/18 2:4... Page 13 of 66

**CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER**

VMP/JJS 2147

# **EXHIBIT 12**

Name: John A. Scatchell | DOB: 12/9/1988 | MRN: GE11793006 | PCP: MARYAM SANDOVAL, MD

## Letter Details

DuPage Medical Group

WE CARE FOR YOU

DMG INTERNAL MEDICINE - LOMBARD,  
HIGHLAND AVENUE  
2340 Highland Avenue, Suite 210  
Lombard IL 60148  
630-932-2620

November 27, 2017

To whom it may concern:

I am the primary care physician for your employee, Mr. John Scatchell.

The patient remains under my care for an ongoing medical problem which has improved but not resolved. He has been advised to resume light exercises and may walk outside of his home. However, he is not able to return to his full time work pending completion and review of ordered tests.

Thank you for your understanding and cooperation. Please call with any remaining questions.

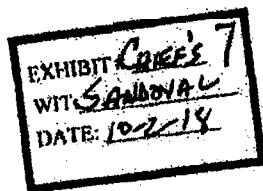
Sincerely,

Maryam N. Sandoval, MD

**CONFIDENTIAL**

This letter was initially viewed by John A Scatchell at 11/27/2017 6:19 PM.

MyChart® licensed from Epic Systems Corporation © 1999 - 2016



Scatchell Dep Ex No. 10  
for ID, as of 11-9-18

VMP/SCATCHELL JR 121

**CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER**

VMP/JJS 2148

# **EXHIBIT 13**

Scatchell, John A (MR # GE11793006)

Concentric needle EMG reveals evidence of increased insertional activity, membrane irritability, in the right deltoid where recruitment is slightly diminished

#### Conclusion

No root pattern is identified, EMG testing findings of this electrodiagnostic study are limited to the right deltoid and suggestive of possible partial right C5 and/or C6 root irritability

Plan P/u Dr Sandoval

-----  
Ellen Voronov, M.D.

**CONFIDENTIAL**

#### Instructions

After Visit Summary (Automatic SnapShot taken 12/4/2017)

#### Additional Documentation

Vitals: Wt 228 lb (103.4 kg) BMI 34.67 kg/m<sup>2</sup> BSA 2.16 m<sup>2</sup> More Vitals

Flowsheets: Custom Formula Data

Encounter Info: Billing Info, History, Allergies, Detailed Report

#### Communications

Chart Routed to Sandoval, Maryam, MD

#### Encounter Status

Electronically signed by Voronov, Ellen I, MD on 12/4/17 at 10:46 PM

#### Encounter Reviewed By

Sandoval, Maryam, MD on 12/5/2017 12:26 PM

#### Additional Encounter Details

Scanning Cover Sheet

All Scans

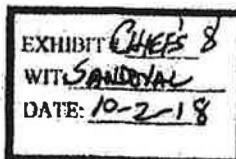
Questionnaire Details

Referral Information

Elm Time Out

Administrative Information

Coding Query



#### SmartForms

No Smartforms are associated with this patient.

#### Infusion Orders

No relevant orders to display.

MS 095

Scatchell, John A (MR # GE11793006) DOB: 12/09/1988 Printed by [11996] at 7/25/18 8:51 AM

**CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER**

VMP/JJS 2149

# **EXHIBIT 14**

Scatchell, John A (MR # GB11793006)

Encounter Date: 03/10/2015

I sent the letter to you via MyChart.  
Hope it works.

12/15/17 3:59 PM

Best,  
Dr. S

Last read by John A Scatchell at 4:25 PM on 12/15/2017.

Lieb, Elizabeth J, RN routed this conversation to Sandoval, Maryam, MD 12/15/17 3:30 PM

Lieb, Elizabeth J, RN

Note

12/15/17 3:29 PM

From: John A Scatchell  
To: Sandoval, Maryam, MD  
Sent: 12/15/2017 3:14 PM CST  
Subject: Visit Follow-up Question

**CONFIDENTIAL**

Hi Dr,

I just received a little clarification. If you could just let them know that I'm still under care right now and cannot return to full police duties yet. I would like to return to work in a light duty capacity at this time though. Also as far as the travel, anything along the lines of traveling/flying should not adversely affect my medical condition. Thank you so much, talk to you soon.

EXHIBIT C-Hee's 9  
WIT: Sandoval  
DATE: 12-18

John A Scatchell to Maryam Sandoval, MD

12/15/17 3:14 PM

Hi Dr,

I just received a little clarification. If you could just let them know that I'm still under care right now and cannot return to full police duties yet. I would like to return to work in a light duty capacity at this time though. Also as far as the travel, anything along the lines of traveling/flying should not adversely affect my medical condition. Thank you so much, talk to you soon.

### Additional Documentation

Encounter Info: Billing Info, History, Allergies, Detailed Report

### Communications

Letter sent to John A Scatchell

MS 008

Scatchell, John A (MR # GB11793006) Printed by Biggs, Fay K. [7313] at 5/22/18 2:47 P... Page 7 of 66

**CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER**

VMP/JJS 2352

# **EXHIBIT 15**



Urso

Tue, Nov 7, 8:26 PM

Hey LT. Not sure if Dad told you, but my neck is really fucked up. I'm gonna be on injury in a couple days, so I gave both of my days (14th and 22nd) to Jimmy. I'm not sure if I'll be back or not for December. They've had me on steroids for the last week, now they put me on anti inflammatory and muscle relaxers. Gotta go for an X-ray tomorrow or Thursday.

OK didn't know, im Florida for the week, just take care, no problem

Thanks LT, have fun



Tue, Nov 14, 3:54 PM

You going to this Jagoff meeting

Yeah

Alone or with your pal?



# **EXHIBIT 16**



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Chief of Police

TO: Officer John Scatchell # 23  
FROM: Michael Castellan  
Deputy Chief of Police  
Date: December 4, 2017  
Subject: Days off Request

I received a memorandum from Sergeant Schillinger advising you requested to take time off for vacation. Your current status was examined. Since your situation involves medical leave, I consulted with legal counsel for the village of Melrose Park.

Due to the fact you are on medical leave and unable to report to duty for your scheduled shift, your request must be denied.

Sincerely,

Deputy Chief Michael A. Castellan  
Michael Castellan  
Deputy Chief of Police

CC: Director Sam Pitassi  
Lt. Nunzio Maiello  
Sgt. John Schillinger

1 North Broadway • Melrose Park, Illinois 60160 • (708) 344-8409

[www.mppd.com](http://www.mppd.com)

*Scatchell* Dep Ex No. 11  
for ID, as of 1/9/18

VMP/SCATCHELL JR 123

# **EXHIBIT 17**



MPPD



Johnny



Tue, Dec 5, 2:18 PM

So the procedure yesterday showed that my numbness is coming from my c5-c6 in my neck. Going for an MRI today. Just wanted to keep you both informed.

chat114503678749724831



Ok

# **EXHIBIT 18**

Name: John A. Scatchell | DOB: 12/9/1988 | MRN: GE11793006 | PCP: MARYAM SANDOVAL, MD

## Letter Details

DuPage Medical Group  
WE CARE FOR YOU

DMG INTERNAL MEDICINE - ELMHURST,  
BRUSH HILL  
133 Brush Hill Road  
Suite 401  
Elmhurst IL 60126  
630-932-2020

December 15, 2017

**CONFIDENTIAL**

To whom it may concern:

I am the primary care physician for your employee, Mr. John Scatchell.

The patient remains under my care for an ongoing medical problem which has improved but not resolved. Based on recent test results, the patient has been referred to a specialist and his appointment is still pending. In the meantime, he may return to light duty employment pending the consultant input. His prior arranged travel plans are deemed safe and should not affect his ongoing medical problems.

Thank you for your understanding and cooperation. Please call with any remaining questions.

Sincerely,

Maryam N. Sandoval, MD

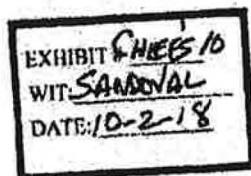
*This letter was initially viewed by John A Scatchell at 12/15/2017 3:59 PM.*

MyChart® licensed from Epic Systems Corporation © 1999 - 2016

*Scatchell*  
Dep Ex No. 12  
for ID, as of 12/15/18

http://www.ducom.org/documents/affidavit-of-physician-to-patient-relationship.pdf

12/15/2017 3:59 PM  
2018-01-01 00:00:00



VMP/SCATCHELL JR 124

**CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER**

VMP/JJS 2150

# **EXHIBIT 19**



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Chief of Police

TO: Officer John Scatchell Jr.

FROM: Sam C. Pitassi  
Director of Police

Date: February 13, 2018

Subject: Authority Release of Medical Records

In light of your agreement to sign an authorization for us to receive your medical records, and also recognizing that your attorneys have apparently agreed upon the language, you are hereby ordered to complete and sign the attached Authorization for Release of Medical Records and return the original of the completed and signed document to Deputy Chief Michael Castellan on or before 1:00 p.m. on Friday, February 16, 2018. You are further ordered not to hinder or interfere, in any way, with the medical providers regarding their submission of such records.

Of course, please feel free to call if you would like discuss it further.

Sincerely,

  
Sam C. Pitassi  
Director of Police

CC: Michael Castellan  
Deputy Chief of Police

1 North Broadway • Melrose Park, Illinois 60160 • (708) 344-8409

[www.mppd.com](http://www.mppd.com)

CHIEF'S EXHIBIT



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Chief of Police

### AUTHORIZATION FOR RELEASE OF MEDICAL RECORDS

#### Patient Identification

Printed Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_

Last four digits of Social Security #: \_\_\_\_\_

#### Authority for Limited Release of Protected Health Information by the Health Care Providers Listed Below:

I, John Scatchell, Jr., hereby authorize the Custodian of Medical Records ("Medical Provider"), \_\_\_\_\_, to release the information identified in this authorization form for the partial and limited release of my medical records since September 1, 2012, and to provide such information to the following people only: Jeffrey S. Fowler or Joseph Gagliardo of Laner Muchin, Ltd., 515 N. State St., Suite 2800, Chicago, Illinois 60654, or any representative thereof.

#### The following information is to be released

A Certified Copy of the limited health and medical records file, which shall be limited to:

Office notes, correspondence, existing narrative reports, x-ray films and reports, CT Scan films and reports, diagnostic films and reports, etc., health history records, treatment records, hospital records, lab results, patient intake forms, initial application and information sheets, consultation reports, correspondence or reports from other health care providers, physical therapist records and reports, appointment records, progress notes, handwritten notes, nurses' notes, records of prescriptions, patient orders, pathology slides, billing records, insurance claim forms, functional capacity tests, and any and all other records compiled by you or in your possession relating to my physical condition since September 1, 2012, that relates to or may relate to my ability to perform the functions of a police officer.

1 North Broadway • Melrose Park, Illinois 60160 • (708) 344-8409

[www.mppd.com](http://www.mppd.com)

This release authorizes the release of tangible medical information only and does not authorize verbal communication by the health care provider to the requesting party. This information must be kept strictly confidential in files that are separate from the general personnel files. A photocopy of this medical authorization may be used for the release of these records. The Medical Professional will provide a copy of the medical records sent to the Melrose Park Police Department.

**Purpose of the Requested Disclosure of Protected Health Information**

I am authorizing the limited release of my Protected Health Information for the following purposes for all purposes related to my employment with the Village of Melrose Park, Illinois.

**Right to Revoke Authorization**

Except to the extent that action has already been taken in reliance on this authorization, the authorization may be revoked at any time by submitting a written or electronic notice to the Medical Provider, who may be contacted using the following contact information:

Unless revoked, this authorization will expire on April 1, 2018.

**Re-disclosure**

I understand the information disclosed by this authorization may be subject to re-disclosure by the recipient and no longer be protected by the Health Insurance Portability and Accountability Act of 1996.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# **EXHIBIT 20**



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Chief of Police

### AUTHORIZATION FOR RELEASE OF MEDICAL RECORDS

#### Patient Identification

Printed Name: John A. Scatchell

Date of Birth: 12/09/1988

Address: 912 Norwood Drive Melrose Park, IL 60160

Last four digits of Social Security #: 6484

#### Authority for Limited Release of Protected Health Information by the Health Care Providers Listed Below:

I, John Scatchell, Jr., hereby authorize the Custodian of Medical Records ("Medical Provider"), Dr. Sandoval, to release the information identified in this authorization form for the partial and limited release of my medical records since January 1, 2014, and to provide such information to the following people only: Jeffrey S. Fowler or Joseph Gagliardo of Laner Muchin, Ltd., 515 N. State St., Suite 2800, Chicago, Illinois 60654, or any representative thereof.

#### The following information is to be released

A Certified Copy of the limited health and medical records file, which shall be limited to:

Office notes, existing narrative reports, x-ray films and reports, CT Scan films and reports, diagnostic films and reports, etc., health history records, treatment records, hospital records, lab results, patient intake forms, initial application and information sheets, consultation reports, or reports from other health care providers, physical therapist records and reports, appointment records, progress notes, handwritten notes, nurses' notes, records of prescriptions, patient orders, pathology slides, billing records, insurance claim forms, functional capacity tests, and any and all other records compiled by you or in your possession relating to my physical condition since January 1, 2014, that relates to or may relate to my ability to perform the functions of a police officer.

1 North Broadway • Melrose Park, Illinois 60160 • (708) 344-8409

[www.mppd.com](http://www.mppd.com)

CHIEF'S EXHIBIT

This release authorizes the release of tangible medical information only and does not authorize verbal communication by the health care provider to the requesting party. This information must be kept strictly confidential in files that are separate from the general personnel files. A photocopy of this medical authorization may be used for the release of these records. The Medical Professional will provide a copy of the medical records sent to the Melrose Park Police Department.

**Purpose of the Requested Disclosure of Protected Health Information**

I am authorizing the limited release of my Protected Health Information for the following purposes for all purposes related to my employment with the Village of Melrose Park, Illinois.

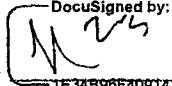
**Right to Revoke Authorization**

Except to the extent that action has already been taken in reliance on this authorization, the authorization may be revoked at any time by submitting a written or electronic notice to the Medical Provider, who may be contacted using the following contact information:

Unless revoked, this authorization will expire on April 1, 2018.

**Re-disclosure**

I understand the information disclosed by this authorization may be subject to re-disclosure by the recipient and no longer be protected by the Health Insurance Portability and Accountability Act of 1996.

DocuSigned by:  
Signature:   
TE34B96F4091429  
Date: 2/16/2018

# **EXHIBIT 21**

**MELROSE PARK POLICE DEPARTMENT  
EMPLOYEE ACKNOWLEDGEMENT FORM**

The employee procedures describe important information about your employment with the Village of Melrose Park. I further understand that I should consult with my supervisor regarding any questions I may have not answered in the procedures. I have entered into my employment relationship with the Village of Melrose Park voluntarily and acknowledge that there is no specified length of employment for cause brought about by my own actions.

Since the information, policies, and benefits described in this handbook are necessarily subject to change, I acknowledge that revisions to these procedures are neither a contract of employment nor a legal document. My signature acknowledges receipt of these procedures and I further understand this it is my responsibility to read and comply with the policies and procedures set forth and any future revisions which may occur.

Employee Name: John Scatchell

~~Scatchell~~  
Employee Signature

8/31/12  
Date

Scatchell Dep Ex No. 5  
for ID, as of 1/9/18

# **EXHIBIT 22**

**MELROSE PARK POLICE DEPARTMENT**

**Sam C. Pitassi • Chief of Police**

**STANDARD OPERATING PROCEDURE**

Please be advised, attached hereto is the M.P.P.D. S.O.P. V.09.2012 Disk which contains the updated Standard Operating Procedure (S.O.P.) for the Melrose Park police Department. The S.O.P. establishes methods to be routinely followed by employees of the Melrose Park Police Department. The attached S.O.P. supersedes all prior S.O.P.'S of the Melrose Park Police Department as set forth in Policy 106.1 of the Policy Manual, attached hereto.

Please review the attached and sign below that you have received it.

John A Scatchell

Name

Patrol Officer

Title

9/26/2017

Date

Scatchell Dep Ex No. 4  
for ID, as of 1/9/18

1 North Broadway • Melrose Park, Illinois 60160 • (708) 344-8409

[www.mppd.com](http://www.mppd.com)

# **EXHIBIT 23**



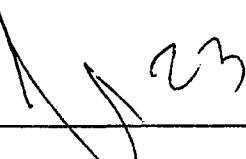
## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi ♦ Chief of Police

### Melrose Park Police Department Manual Standard Operating Procedures (SOP)

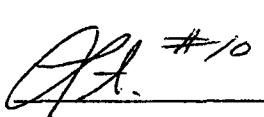
I John Scatchell Jr., acknowledge that I have received one copy of the SOP V.08\_2015 version, of Melrose Park Police Department manual and its contents which contain Standard Operating Procedures and Regulations of the Department. I further acknowledge I am responsible to familiarize myself with the current contents and general conditions of this manual/cd at all time.

I acknowledge with my signature that I have read and understand these conditions.

  
\_\_\_\_\_  
Officers Signature

\_\_\_\_\_  
23  
Star Number

\_\_\_\_\_  
8/21/15  
Date

  
\_\_\_\_\_  
Supervisors Signature

\_\_\_\_\_  
10  
Star number

\_\_\_\_\_  
8/21/15  
Date

1 North Broadway ♦ Melrose Park, Illinois 60160 ♦ (708) 344-8409

[www.mppd.com](http://www.mppd.com)

CHIEF'S EXHIBIT \_\_\_\_\_

# **EXHIBIT 24**



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi ♦ Chief of Police

**MELROSE PARK**

# POLICE DEPARTMENT MANUAL STANDARD OPERATING PROCEDURES (SOP)

I, John Scatchell Jr. acknowledge that I have received One Copy of SOP V.06.2016 version, of the Melrose Park Police Department Manual and its contents which contain Standard Operation Procedures and Regulations of the Department. I further acknowledge I am responsible to familiarize myself with the current contents as well as any and all amendments that may be added or rescinded from time to time. I also know that it is my sole responsibility to maintain the contents and general condition of this manual/CD at all times.

I acknowledge with my signature that I have read and understand these conditions.

Officers Signature

23

Star Number

6-8-16

Date

Supervisor Signature

5

Star Number

06/08/16

Date

1 North Broadway ♦ Melrose Park, Illinois 60160 ♦ (708) 344-8409

[www.mppd.com](http://www.mppd.com)

CHIEF'S EXHIBIT

# **EXHIBIT 25**

## MELROSE PARK POLICE DEPARTMENT MANUAL

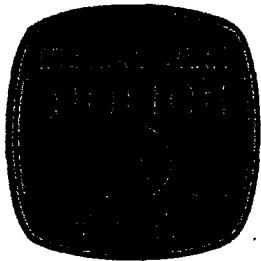
## STANDARD OPERATING PROCEDURES (SOP)

As of 3-17-2017

	Name Person receiving SOP	Badge #	Name Person Giving SOP	Badge #	Officer Signature	Date Received	SOP CD	SOP BOOK
1	Lt. Dino Dimaio	4	Lt. Maiello	9	Lt D	3-31-17		
2	Sgt. Nunzio Maillo	9	Lt. Maiello	9	N. Maiello			
3	Off. Scott Thull	33	Lt. Maiello	9	Scott Thull	03-30-17		
4	Phillip Negron	78	Lt. Maiello	9	P. Negron	3-30-17		
5	Devon Moss	30	Lt. Maiello	9	D. Moss	4-13-17		
6	Adam Gibson	35	Lt. Maiello	9	A. Gibson	3/31/17		
7	Off. William Potamianos JR.	86	Lt. Maiello	9	W. Potamianos	3/30/17		
8	Off. Chane Fogg	75	Lt. Maiello	75	C. Fogg	03-30-17		
9	Off. Vaughn Damron	74	Lt. Maiello	9	V. Damron	4/1/17		
10	Off. Daniel Richter	25	Lt. Maiello	9	D. Richter	3-31-17		
11	Off. John Scatchell Jr	23	Lt. Maiello	9	J. Scatchell	3-31-17		
12	Off. John Menolascino Jr.	29	Lt. Maiello	9	J. Menolascino	3-30-17		
13	Off. Robert Anzald Jr.	43	R. Anzald	9	R. Anzald	4-13-17		
14	Off. Jessica Ortiz	49	Lt. Maiello	9	J. Ortiz	3-30-17		
15	Off. Pedro Montoya	60	Lt. Maiello	9	P. Montoya	3-30-17		
16	Joseph G. Panzani	44	Lt. Maiello	9	J. Panzani	3-30-17		
17	Giovanni Castellan	76	Lt. Maiello	9	G. Castellan	4-1-17		
18	Joseph De Carlo	87	Lt. Maiello	9	J. De Carlo	3/30/17		

CHIEF'S EXHIBIT

# **EXHIBIT 26**



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi ♦ Chief of Police

### MELROSE PARK

### POLICE DEPARTMENT MANUAL

### STANDARD OPERATING PROCEDURES

### (SOP)

I, John Scatchell Jr. acknowledge that I have received One Copy of SOP V31717 version, of the Melrose Park Police Department Manual and its contents which contain Standard Operation Procedures and Regulations of the Department. I further acknowledge I am responsible to familiarize myself with the current contents as well as any and all amendments that may be added or rescinded from time to time. I also know that it is my sole responsibility to maintain the contents and general condition of this manual/CD at all times.

I acknowledge with my signature that I have read and understand these conditions.

  
\_\_\_\_\_  
Officers Signature

23  
Star Number

3/31/17  
Date

  
\_\_\_\_\_  
Supervisor Signature

7  
Star Number

5/31/17  
Date

1 North Broadway ♦ Melrose Park, Illinois 60160 ♦ (708) 344-8409

[www.mppd.com](http://www.mppd.com)

—  
CHIEF'S EXHIBIT —

# **EXHIBIT 27**

Policy  
**1040**

Melrose Park Police Department

Policy Manual

## Outside Employment

### 1040.1 PURPOSE AND SCOPE

To avoid actual or perceived conflicts of interest for departmental employees engaging in outside employment, all employees shall obtain written approval from the Chief of Police/Police Administrator prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police/Police Administrator in accordance with the provisions of this policy.

#### 1040.1.1 DEFINITIONS

**Outside Employment** - Where any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s) or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, product(s) or benefits rendered.

**Outside Overtime** - Any member of this department who performs duties or services on behalf of an outside organization, company, or individual. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits.

### 1040.2 OBTAINING APPROVAL

No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

To obtain approval for outside employment, the employee must complete an Outside Employment Application which shall be submitted to the employee's immediate supervisor. The application will then be forwarded through channels to the Chief of Police for consideration, along with any applicable comments or review of work history provided by the submitting supervisor or any other supervisor having information which should be legitimately considered as factors for approval or rejection.

Applications must be accompanied by a Village indemnification/hold harmless agreement executed by the outside employer.

#### 1040.2.1 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS

Any outside employment permission may be revoked or suspended under the following circumstances:

- (a) When an employee's performance at this department is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police may, at his/her discretion, revoke any outside employment permission(s). That revocation will stand

## Melrose Park Police Department

### Policy Manual

#### Outside Employment

until the employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment permission.

- (b) When included as a term or condition of sustained discipline.
- (c) When an employee is suspended from the department for 5 days or less the employee's outside employment permission will be suspended for the same amount of time.
- (d) When an employee is suspended from the department for more than 5 days the member's outside employment permission will be considered revoked.
- (e) When an employee's conduct or outside employment conflicts with the provisions of department policy, the permission may be suspended or revoked.
- (f) When an employee is unable to perform at a full duty capacity due to an injury or other condition, any previously approved outside employment permission may be subjected to similar restrictions as those applicable to the employee's full time duties until the employee has returned to a full duty status.

#### **1040.3 PROHIBITED OUTSIDE EMPLOYMENT**

The Department expressly reserves the right to deny any Outside Employment Application submitted by an employee seeking to engage in any activity which:

- (a) Involves the employee's use of departmental time, facilities, equipment or supplies, the use of or reliance upon the Department badge, uniform, prestige or influence for private gain or advantage.
- (b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this department.
- (c) Involves the performance of an act in other than the employee's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department.
- (d) Involves time demands that would render performance of the employee's duties for this department less efficient.

#### **1040.3.1 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE**

Any employee making an arrest or taking other official police action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to department policy. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment.

#### **1040.3.2 SPECIAL RESTRICTIONS**

Except for emergency situations or with prior authorization from the Investigations Deputy Chief, undercover officers or officers assigned to covert operations shall not be eligible to work overtime

**Melrose Park Police Department**  
Policy Manual

**Outside Employment**

---

or other assignments in a uniformed or other capacity which might reasonably disclose the officer's law enforcement status.

**1040.4 DEPARTMENT RESOURCES**

Employees are prohibited from utilizing other departmental employees, and any department equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this department or other agencies through the use of the employee's position with this department.

**1040.4.1 REVIEW OF FINANCIAL RECORDS**

Prior to providing written approval for an outside employment position, the Department may request that an officer provide his or her personal financial records for review/audit in order to determine whether a conflict of interest exists. Failure of the employee to provide the requested personal financial records could result in denial of the off-duty work permission. If, after approving a request for an outside employment position, the Department becomes concerned that a conflict of interest exists based on a financial reason, the Department may request that the employee provide his or her personal financial records for review/audit. If the employee elects not to provide the requested records, his or her off-duty work permission may be revoked pursuant to Policy Manual § 1040.2.2(c).

**1040.5 OUTSIDE EMPLOYMENT WHILE ON DISABILITY**

Department members engaged in outside employment who are placed on disability leave or modified/light-duty shall inform their immediate supervisor in writing within five days whether or not they intend to continue to engage in such outside employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the outside employment along with any related doctor's orders, and make a recommendation to the Chief of Police/Police Administrator whether such outside employment should continue.

In the event the Chief of Police/Police Administrator determines that the outside employment should be discontinued or if the employee fails to promptly notify his/her supervisor of his/her intentions regarding their work permission, a notice of revocation of the member's permission will be forwarded to the involved employee.

Criteria for revoking the outside employment permission include, but are not limited to, the following:

- (a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the Village's professional medical advisors.
- (b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty member.
- (c) The employee's failure to make timely notice of their intentions to their supervisor.

When the disabled member returns to full duty with the Melrose Park Police Department, a request (in writing) may be made to the Chief of Police/Police Administrator to restore the permission.

## Melrose Park Police Department

Policy Manual

### ***Outside Employment***

**1040.6 SEE APENDIX FOR SPECIAL ORDER ISSUED BY THE CHIEF**

The chief has issued a "Special Order" regarding secondary employment. You will find this order at the back of the manual.

# **EXHIBIT 28**

**THESE DOCUMENTS WERE  
PRODUCED AT:**

**VMP-JJS 2480-2496**

**THE BATES NUMBERED COPIES  
ARE BAD SCANS AND ARE TOO  
SMALL TO BE LEGIBLE**



# Illinois Conservation Police

NATURAL RESOURCES  
FIELD REPORT LAW ENFORCEMENT SPRINGFIELD, IL

FIELD REPORT NUMBER
2017-2-365-017

117 NOV 30 PM 2 '05

Bergland, W.J. #365

11/20/17	2	3	5671 HHP/h V29 #101	11/27/17	Open	Open	<input checked="" type="checkbox"/> Springfield <input type="checkbox"/> Region <input type="checkbox"/> States Attorney					
COMPLAINT					TIME OCCURRED		TIME					
Unlawful Possession of a Firearm By a Felon					11/20/2017		7:30am					
LOCATION					COUNTRY OR STATE		DATE REPORTED	TIME				
Fox Ridge Stone Quarry, Rt. 71 and Minkler Rd.					Kendall		11/20/2017	7:30				
No		Location where evidence is stored			Photograph or location of photographs		Attachments		DATE			
					<input checked="" type="checkbox"/> Yes		<input checked="" type="checkbox"/> Attached					
SUBJECT CODE: Arrested Person Discovering Crime / Witness / Other Passenger Complaint												
Code O	Last Scavo		First Vito		M.I. R	Street 280 Braddock			City Melrose Park		State IL	Zip 60160
Race W	Sex M	Date of Birth 4/30/1948	Height 5' 0 9"	Weight 190	Hair GRY	Eyes BRO	Build MED	Complexion LGT	SSN / DLN S10-8764-8123	Telephone (708) 906-3644		
Charge / Citation / WW 0		Chapter / Act / Section					Description			Court Date None		
SUBJECT CODE: Arrested Person Discovering Crime / Witness / Other Passenger Complaint												
Code W	Last Scatchell		First John		M.I. A	Street 912 Norwood Dr.			City Melrose Park		State IL	Zip 60160
Race W	Sex M	Date of Birth 12-09-1988	Height 5' 0 9"	Weight 195	Hair BRO	Eyes BRO	Build MED	Complexion MED	SSN / DLN S324-461-8350	Telephone (708) 906-1188		
Charge / Citation / WW 0		Chapter / Act / Section					Description			Court Date None		
SUBJECT CODE: Arrested Person Discovering Crime / Witness / Other Passenger Complaint												
Code W	Last Grivetti		First Rodger		M.I. J	Street 261 Northwood			City Riverside		State IL	Zip 60546
Race W	Sex M	Date of Birth 07/31/1964	Height 6' 0 0"	Weight 190	Hair BRO	Eyes BRO	Build MED	Complexion LGT	SSN / DLN G613-7306-4217	Telephone (708) 774-9013		
Charge / Citation / WW 0		Chapter / Act / Section					Description			Court Date None		
SUBJECT CODE: Arrested Person Discovering Crime / Witness / Other Passenger Complaint												
Code W	Last Bono		First Richard		M.I. L	Street 1518 William St.			City River Forest		State IL	Zip 60305
Race W	Sex M	Date of Birth 06/18/1963	Height 5' 1 1"	Weight 190	Hair BRO	Eyes BRO	Build MED	Complexion MED	SSN / DLN B500-7526-3173	Telephone (708) 280-9996		
Charge / Citation / WW 0		Chapter / Act / Section					Description			Court Date None		
VEHICLE INFORMATION												
Vehicle Year 2006	Vehicle Make Express		Vehicle Color Green		VIN/HIN or Serial Number JBC62068C606				License Number		License Year 2020	State WI
Boat Registration Number WS 9833 HU		Boat Length 17'	Vehicle Towed <input type="checkbox"/>		Vehicle Removed By				Vehicle Removed To		Telephone	
SYNOPSIS												
I observed a group of waterfowl hunters in a boat blind hunting waterfowl. One of the hunters was known to me to be a convicted felon and to have a revoked FOID card. I did see that person in possession of a shotgun and saw him shoot the gun.												

CHIEF'S EXHIBIT

OA 10NR/1CP 01





# Illinois Conservation Police

## FIELD REPORT

REGULATORY REPORT BY AMBER

Bergland, W.J. #365

© 11-1571

On 11-16-17 I received information from Sgt. Wollgast about group of waterfowl hunters that hunt at the Fox Stone Quarry located off the southeast corner of the intersection of Rt. 71 and Minkler Rd. Sgt. Wollgast told me that one of the subjects was suspected to be Vito R. Scavo and he was a felon and not able to possess a firearm. I told Sgt. Wollgast that I was aware of this group and had checked them before as they had come off of the water in their boat blind. They hunt on a body of water on the far southeast corner of the property. I had never before found any violations and had never seen Scavo in possession of a firearm. As Sgt. Wollgast had asked, I worked the area the next day but no hunters came to hunt.

Today, 11/20/17 I arrived at the quarry a little before 7:00am and parked away from where the hunting area is located. Shortly after I got out of my truck, I heard shots coming from the body of water on the southeast corner of the property. I walked/crawled to a location on the north side of the body of water where I could see their spread of decoys and the boat from which they were hunting. (See attached Google earth view) I later used the Google Earth measuring tool to determine that I was approximately 230 yards from the boat blind. I was sitting on the ground facing south. There were reeds in front of me, but using binoculars, I could clearly see the boat and the occupants when the top of the boat blind was pulled back. The boat was camouflaged with reed like material on a metal frame that goes up a few feet from the gunwales of the boat and then covers the boat on top. The roof has a section that can be slid back so the hunters can stand up and take shots when birds come within range. (see below picture of boat) As I was looking at them, the stern of the boat was to my left and the bow to my right. On the far left at the stern of the

It was a man with a beard and sunglasses, later identified as John A. Scatchell. Next to him was a taller man wearing a hood, later identified as Rodger J. Grivetti. Next to Grivetti was his small grade school aged son. Next to, but always slightly behind Grivetti's son, was a taller man with a black hooded sweatshirt and camo bib overalls, later identified as Richard L. Bono. Next to Bono, at the far right and at the bow of the boat, was a shorter older man wearing sunglasses. He was later identified as Vito R. Scavo. All subjects were dressed in camouflage clothing.

As stated earlier, I could clearly see all the subjects in the boat through binoculars, however I could not hear their conversations. I could hear people speaking, but I could not make out what they were saying. I could hear when they were using their call to attract the waterfowl to their location. When ever they started calling, I would observe them with the binoculars. I observed the group shoot at least five or six times, and every time I could see Scavo holding a shotgun. On at least two occasions I could see the recoil of the shotgun that Scavo was holding. One time in particular I can remember when a flock of geese flew over the top of the hunters and Scavo was holding the gun almost straight up and took a shot.

I observed the hunters from approximately 7:00am to approximately 9:00am. I then went back to my truck and pulled closer to the boat launch to wait for the hunters to come back to the launch. I rolled my window down and heard a few more groups of shots. I then heard the boat start up and could tell from the sounds I was hearing that they were picking up their decoys. I got out of my truck and walked down the boat ramp and stood off to the side in the reeds until the boat landed at the ramp. I was in full uniform and identified myself as Scavo, who was still at the bow of the boat, got off of the boat. I saw that they had all of their kill on separate stringers or in separate piles as required. All the guns were cased. The boat was owned by Scatchell and I did an equipment inspection on the boat with him.

fire extinguisher was not charged and there was no type IV throwable PFD in the boat. Scatchell was given a

This document contains neither recommendations nor conclusions of the agency listed above. It and its contents are not to be disseminated.





# Illinois Conservation Police

## FIELD REPORT

Page 3 of 6

REPORTING OFFICER NUMBER
2017-2-365-017
REPORTING OFFICER NAME
Bergland, W.J. #365

verbal warning for these violations. I then checked the paperwork and weapons of Grivetti and his son, Bono, and Scatchell and found no violations.

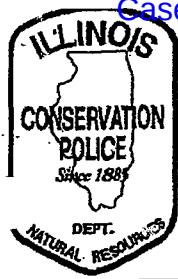
There were only four guns on the boat so there was no gun to check for Scavo, but I saw that he had a hunting license in his hand. I then asked Scavo to step away from the group so I could talk to him in private. He offered me his hunting license and I took it. We walked several steps away from the others. I was standing facing east with my truck to my right. Scavo was facing me, facing west, with the boat launch behind him and his vehicle behind him and to his right. I told Scavo I was going to ask him some questions and asked him to be honest with me. I asked him if he had taken any shots this morning. He stated that he had shot at one that was on the water. I then advised him that he should know that I had been watching the group for over an hour and a half. I asked him if that was all he shot at and he said that it was. I again advised him how long I had been watching him and told him that I had observed him shoot at several groups of birds that came in. He then admitted that he had taken more than just that one shot. I then asked him if this was the only time this year that he had taken shots at waterfowl and he said that it was not. I then told him that I knew his situation and knew that he could not legally be in possession of a firearm. I asked him why he would do this knowing that he couldn't legally do it. He said that hunting is in his blood and he just can't seem to get away from it. He then spent the next fifteen minutes or so trying to convince me not to do anything with the information that I had gathered this morning. I told him several times that I was not going to risk my career and my family's well being because he had made bad choices. I also told him that I was not going to arrest him today. I told him I would be writing a report on what I observed and what I was told here today and present it to the Kendall County State's Attorney's office. It should be noted that except for his initial withholding about how many times he had shot this morning, Scavo was very cooperative and forthcoming. He was also very polite and respectful towards me.

I then spoke to Scatchell. I asked for his ID and he gave it to me and I took down his information. He identified himself as a Melrose Park police officer, showing me his badge. I asked him if he saw Scavo shoot this morning. He told me he could not say if he saw Scavo shoot or not. Scatchell explained that he was fifteen feet away from Scavo, further explaining that it was a seventeen foot boat and they were at opposite ends of the boat. Scavo was not standing on the bow so the distance between them was probably more like eleven to twelve feet. I advised Scatchell that I had observed them hunt for over an hour and a half and asked again if he was still going to tell me that he did not know if Scavo shot or been in possession of firearm. Scatchell then said something similar to "We are all in law enforcement here, we all know what's going on." I told him that doesn't answer my question. He then again told me that his answer is that he could not say if Scavo had shot or been in possession of a firearm.

I then spoke to Bono. I took down his information from his ID and asked him if Scavo had taken any shots this morning. He stated that he saw Scavo shoot at one crippe on the water. I also advised Bono of how long and from where I had been observing them and asked the question again and Bono again said that he had only seen him shoot the one time. I asked Bono if he knew of Scavo's situation and that he could not be in possession of a firearm. Bono said that he knew that Scavo had been in trouble before and assumed that he could not because he had never brought a firearm when they went hunting.

0A10N12/1CP01





# Illinois Conservation Police

## FIELD REPORT

INCIDENT NUMBER
2017-2-365-017

REPORTER'S NAME
Bergland, W.J. #365

I then spoke to Gravetti. I took down his information too and asked him if he had seen or knew if Scavo had taken any shots or been in possession of a firearm this morning. He stated that he did not see if Scavo had or had not taken shots or been in possession of a firearm. He stated that his focus was on his son and his son's firearm safety.

I spoke to Bono once more and asked if it was his gun that Scavo had used and he said that it was.

I then again told Scavo that I was going to be writing a report and sending it to the S. A. office. He asked that I speak with his lawyer whom he was on the phone with at the time and I did so. All the lawyer really wanted to know was what county would be getting the report and I advised him that it would be Kendall County.

I then left the scene.

This space intentionally left blank

*OS 10WR/ICP 01*

This document contains neither recommendations nor conclusions of the agency listed above. It and its contents are not to be disseminated.



2017-MM0100/17-202



# Illinois Conservation Police

## PHOTOGRAPHIC EVIDENCE

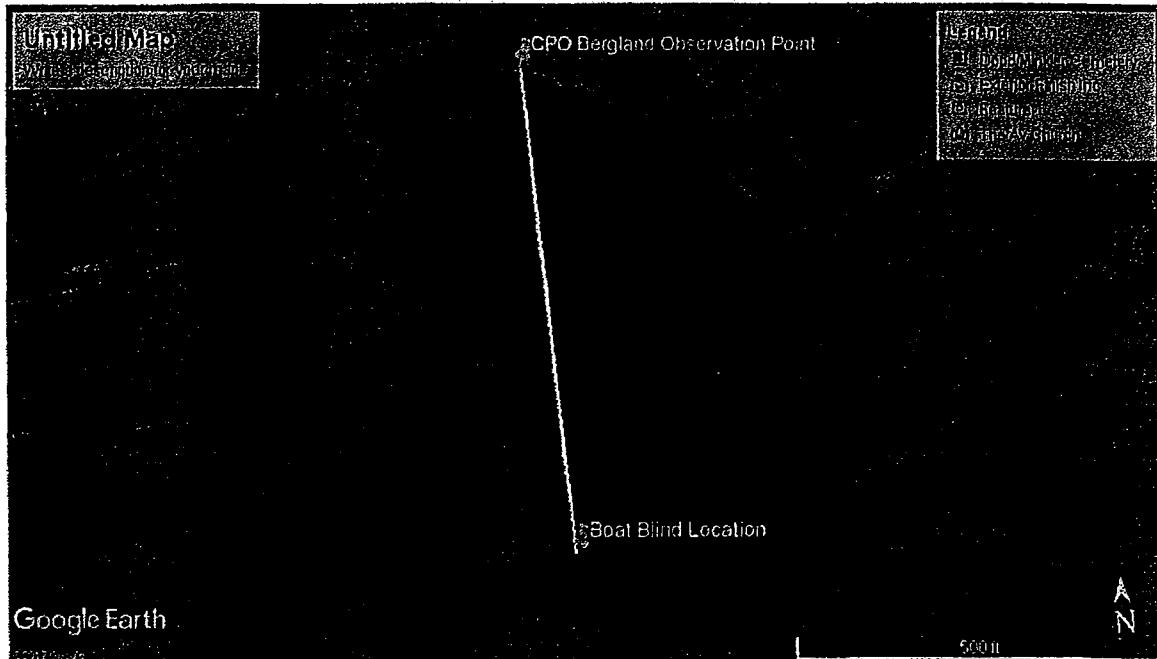
FILED REPORT NUMBER
2017-2-365-017

Reported On: 01/04/2021  
Bergland, W.J. #365



Google earth image of Fox Ridge Stone Quarry

Description



Google Earth Image of pond on SE corner of Fox Ridge Stone Quarry showing CPO Bergland's approximate observation point and the approximate location of the boat blind. The approximate distance between the two locations using the google earth measuring tool is 230 yards.

OA 10W1/CP 01  
Description

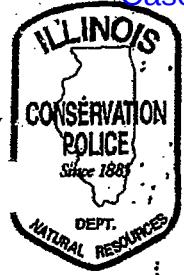


This document contains neither recommendations nor conclusions of the agency listed above. It and its contents are not to be disseminated.



Illinois  
Department of  
Natural  
Resources

2021 MM0100/17..902



# Illinois Conservation Police

## PHOTOGRAPHIC EVIDENCE

FIELD NUMBER: 2017-2-365-017

2017-2-365-017

Bergland, W.J. #365



Photo of the boat blind taken later that evening while parked at the boat launch.

Description



This document contains neither recommendations nor conclusions of the agency listed above. It and its contents are not to be disseminated.

CA-12w/1CP #1



Illinois  
Department of  
Natural  
Resources

2017MMOT0017-20E

CIC MESSAGE NUMBER 3185138

11/20/17

ATT, pg 1

FROM IL  
WDZ 17.35.27 11/20/17 . IL08486  
D4700W1

\*\*\* ILLINOIS CONCEALED CARRY LICENSE RECORD \*\*\*  
NO RECORD FOUND FOR NAM/SCAVO, VITO R DOB/1948-04-30  
/END

---

CIC MESSAGE NUMBER 3185140

11/20/17

FROM IL  
WDZ 17.36.13 11/20/17 . IL08486  
IL04700W1

FOID RESPONSE  
FID 67280118 ISSUED/2001-11-01 EXP/2011-11-01  
STATUS REVOKED FOID CARD  
NAME SCAVO, VITO R SEX MALE DOB 1948-04-30  
STREET ADDRESS 280 BRADDOCK  
CITY MELROSE PARK COUNTY COOK ZIP 60160  
HEIGHT 509 WEIGHT 190 HAIR GRY EYES BRO  
NO SPONSOR

---

OA:DMR/ICP 01

CIC MESSAGE NUMBER 3185181

11/20/17

ATT1, P62

201711201746

IL0470000 OPR/93 PUR/C REQ/OFC BURGLAND/F16  
 /SCAVO, VITO R SEX/M RAC/U DOB/19480430  
 S1D/IL23986580 NAM/SCAVO, VITO ROCCO SEX/M  
 RAC/W DOB/19480430 HGT/509 WGT/190 HAI/BRO EYE/BRO  
 SKN/FAR SMT/

FPC/ FBI/255339AA7  
 SOC/321405589 CIR/ MNU/

TOTAL ARRESTS 1

CHARGES CONV OFFENSE	CHARGES CONV OFFENSE
2 0 LARCENY	2 0 FRAUDULENT ACTIV
LAST ARREST 19820929 BY IL0169M00	
FOR THEFT , INSURANCE FRAUD	

CASE # 81E4732

CIC MESSAGE NUMBER 3185184 11/20/17

REQ/OFC BURGLAND/F16

7L01WDZ1I2735KC

IL0470000

THIS NCIC INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR INQUIRY ON NAM/SCAVO, VITO R SEX/M RAC/U DOB/19480430 PUR/C

NAME	FBI NO.	INQUIRY DATE
S JO, VITO ROCCO	255339AA7	2017/11/20

SEX RACE BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR	PHOTO
M W 1948/04/30	509	180	BRO	BRO	Y

BIRTH PLACE

ILLINOIS

FINGERPRINT CLASS PATTERN CLASS

25 PM PO PM PO

18 PI 22 PI 22

ALIAS NAMES

SCAVO, VITO SCAVO, VITO R

SCAVO, VITO ROCCO

OTHER

BIRTH DATES SOCIAL SECURITY

1948/04/03 321-40-5589

IDENTIFICATION DATA UPDATED 2016/01/05

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE FOLLOWING:

FBI	FBI/255339AA7
THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION	

CIC MESSAGE NUMBER 3185185 11/20/17

REQ/OFC BURGLAND/F16

NCIC.

OA10NR/1CPD1

CIC MESSAGE NUMBER 3185187

11/20/17

ATT1, PG3

17.324 17.47.48

JT.0470000 OPR/93 PUR/C REQ/OFC BURGLAND/F16  
D/IL23986580

ATN/OFC BURGLAND/F16

THIS RECORD IS BASED ONLY ON THE SID NUMBER IN YOUR REQUEST.  
IL23986580 BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME,  
A NEW COPY SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

ILLINOIS STATE POLICE

CRIMINAL HISTORY RECORD INFORMATION

STATE ID NO. FBI NO. CHICAGO IR NO. DATE REQUESTED

\*\*\*\*\* ILLINOIS STATE POLICE \*\*\*\*\*

CRIMINAL HISTORY RECORD INFORMATION

\*\*\*\*\* STATE USE ONLY \*\*\*\*\*

DATE: 11/20/2017 \* ORI: IL0470000

ILLINOIS STATE POLICE  
BUREAU OF IDENTIFICATION  
260 NORTH CHICAGO STREET  
JOLIET, IL 60432-4075

CRIMINAL HISTORY OF SCAVO, ?VITO?ROCCO? (LAST KNOWN NAME)

STATE IDENTIFICATION NUMBER: IL23986580  
CONVICTION STATUS: NO CONVICTION STATUS  
CUSTODIAL STATUS: NO STATUS FOUND  
JUVENILE DATA

ORMAL ADJUSTMENT: 0 \* FORMAL ADJUSTMENT: 0 \* PROBATION ADJUSTMENT: 0  
ALIAS NAME(S)

SCAVO, ?VITO?ROCCO?

DATE OF BIRTH

04/30/1948

SUBJECT IDENTIFICATION DATA

END OF PAGE 001 -- MORE DATA WILL FOLLOW

CIC MESSAGE NUMBER 3185188

11/20/17

17.324 17.47.48

IL0470000 OPR/93 PUR/C REQ/OFC BURGLAND/F16  
SID/IL23986580

(CONTINUED FROM PREVIOUS RESPONSE)

FPT#: 255339AA7 \* CHICAGO IR#:

: MALE

RACE: WHITE

HEIGHT: 509 \* DATE REPORTED:

WEIGHT: 190 \* DATE REPORTED:

EYES: BROWN

ATT1, P64

HAIR: BROWN  
SKIN: FAIR  
SCARS/MARKS/TATTOOS:  
PLACE OF BIRTH: ILLINOIS  
DIVERS LICENSE NUMBERS \* DL STATE:  
SOCIAL SECURITY NUMBERS:  
??321405589

MISCELLANEOUS NUMBERS NUMBER CODE -- ID NUMBER :  
PALM PRINT AVAILABLE ORGANIZATIONS:

PHOTO AVAILABLE ORGANIZATIONS:

IDOC#:

FOID#:

INS#:

OCCUPATION \* DATE REPORTED:

EMPLOYER \* DATE REPORTED:

BASIS FOR CAUTION \* DATE REPORTED:

?? \*

===== CRIMINAL HISTORY DATA =====

\*\*\*\*\* \* ARREST \*\*\*\*\*

DCN: D03541241 \* DATE OF ARREST: 09/29/1982

NAME: SCAVO, VITOROCCO \* DATE OF BIRTH: 04/30/1948

RESIDENCE:

??

ARRESTING AGENCY: ISP INVESTIGATION DISTRICT CHICAGO \* NCIC: IL0169M00

AGENCY CASE NUMBER: 81E4732 \* OFFICER BADGE NUMBER:

PHOTO AVAILABLE: NO

ARREST CHARGES

COUNT: 1

STATUTE CITATION: 38-16-1-B

LITERAL DESCRIPTION: THEFT

INCHOATE CODE: O

CLASS: Z

ARREST TYPE: \* DATE OF OFFENSE: 09/29/1982

COURT CASE NUMBER: 83CR7889 \* COUNTY ISSUING WARANT:

COUNT: 2

STATUTE CITATION: 73-1101

LITERAL DESCRIPTION: INSURANCE FRAUD

INCHOATE CODE: O

CLASS: 4

ARREST TYPE: \* DATE OF OFFENSE: 09/29/1982

END OF PAGE 002 -- MORE DATA WILL FOLLOW

CIC MESSAGE NUMBER 3185190 11/20/17

17.324 17.47.48  
IL0470000 OPR/93 PUR/C REQ/OFC BURGLAND/F16  
SI IL23986580  
(CONTINUED FROM PREVIOUS RESPONSE)  
COUNT: 3  
STATUTE CITATION: 38-16-1  
LITERAL DESCRIPTION: CONSPIRACYTHEFT

ATT1/P65

INCHOATE CODE: C

CLASS: Z

ARREST TYPE: \* DATE OF OFFENSE: 09/29/1982

COUNT: 4

STATUTE CITATION: 73-1101

LITERAL DESCRIPTION: CONSPIRACY/INSURANCE FRAUD

INCHOATE CODE: C

CLASS: 4

ARREST TYPE: \* DATE OF OFFENSE: 09/29/1982

STATES ATTORNEY SECTION

---

FILING DECISION: FILED \* DECISION DATE: 09/29/1982

COUNT: 1

STATUTE CITATION: 38-16-1-B

LITERAL DSCRIPTION: THEFT

INCHOATE CODE: O

CLASS: Z

AGENCY NAME: COOK COUNTY STATE'S ATTORNEY \* NCIC: IL016013A

COURT CASE NUMBER: 83CR7889

FILING DECISION: FILED \* DECISION DATE: 09/29/1982

COUNT: 2

STATUTE CITATION: 73-1101

LITERAL DSCRIPTION: INSURANCE FRAUD

INCHOATE CODE: O

CLASS: Z

AGENCY NAME: COOK COUNTY STATE'S ATTORNEY \* NCIC: IL016013A

FILING DECISION: FILED \* DECISION DATE: 09/29/1982

COUNT: 3

STATUTE CITATION: 38-16-1

LITERAL DSCRIPTION: THEFT

INCHOATE CODE: O

CLASS: Z

AGENCY NAME: COOK COUNTY STATE'S ATTORNEY \* NCIC: IL016013A

FILING DECISION: FILED \* DECISION DATE: 09/29/1982

COUNT: 4

STATUTE CITATION: 73-1101

LITERAL DSCRIPTION: INSURANCE FRAUD

INCHOATE CODE: O

CLASS: Z

AGENCY NAME: COOK COUNTY STATE'S ATTORNEY \* NCIC: IL016013A

COURT CHARGES DISPOSITION

---

COUNT: 1

STATUTE CITATION: 38-16-1-B

LITERAL DESCRIPTION: THEFT

INCHOATE CODE: O

CLASS: Z

END OF PAGE 003 -- MORE DATA WILL FOLLOW

---

C MESSAGE NUMBER 3185191

11/20/17

17.324 17.47.48  
IL0470000 OPR/93 PUR/C REQ/OFC BURGLAND/F16  
SID/IL23986580

ATT1, pg 6

(CONTINUED FROM PREVIOUS RESPONSE)

DISP DATE: 07/02/1984 DISP: NOT GUILTY

CASE NUMBER: 83CR7889

AGENCY NAME: COOK COUNTY CIRCUIT COURT \* NCIC: IL016025J

NT: 2

STATUTE CITATION: 73-1101

LITERAL DESCRIPTION: INSURANCE FRAUD

INCHOATE CODE: O

CLASS: Z

DISP DATE: 07/02/1984 DISP: NOT GUILTY

CASE NUMBER:

AGENCY NAME: COOK COUNTY CIRCUIT COURT \* NCIC: IL016025J

COUNT: 3

STATUTE CITATION: 38-16-1

LITERAL DESCRIPTION: THEFT

INCHOATE CODE: O

CLASS: Z

DISP DATE: 07/02/1984 DISP: NOT GUILTY

CASE NUMBER:

AGENCY NAME: COOK COUNTY CIRCUIT COURT \* NCIC: IL016025J

COUNT: 4

STATUTE CITATION: 73-1101

LITERAL DESCRIPTION: INSURANCE FRAUD

INCHOATE CODE: O

CLASS: Z

DISP DATE: 07/02/1984 DISP: NOT GUILTY

CASE NUMBER:

AGENCY NAME: COOK COUNTY CIRCUIT COURT \* NCIC: IL016025J

===== END OF RECORD =====

===== STATE USE ONLY =====

END OF PAGE 004 -- END OF RECORD

ATI, P67

CIC MESSAGE NUMBER 3185197

11/20/17

REQ/OFC BURGLAND/F16

F 01WDZFM2738KC

/470000

THIS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR RECORD REQUEST FOR FBI/255339AA7. THE FOLLOWING WILL RESPOND TO YOUR AGENCY:

FBI - FBI/255339AA7

END

CIC MESSAGE NUMBER 3185198 11/20/17

BEA 17.48.39 11/20/17 WVFBINFO00

IL0470000

HDR/2L01WDZFM2738KC

ATN/OFC BURGLAND/F16

\*\*\*\*\* CRIMINAL HISTORY RECORD \*\*\*\*\*

\*\*\*\*\* Introduction \*\*\*\*\*

This rap sheet was produced in response to the following request:

FBI Number 255339AA7

Request Id 2738K17147

Purpose Code C

Attention OFC BURGLAND/F16

The information in this rap sheet is subject to the following caveats:

This record is based only on the FBI number in your request-UCN:

255339AA7 Because additions or deletions may be made at any time, a new copy should be requested when needed for subsequent use.(US; 2017-11-20)

All arrest entries contained in this FBI record are based on fingerprint comparisons and pertain to the same individual.(US; 2017-11-20)

The use of this record is regulated by law. It is provided for official use only and may be used only for the purpose requested.(US; 2017-11-20)

\*\*\*\*\* IDENTIFICATION \*\*\*\*\*

Subject Name(s)

SCAUO, VITO ROCCO

SCAVO, VITO (AKA)

SCAVO, VITO R (AKA)

SCAVO, VITO ROCCO (AKA)

Subject Description

FBI Number

255339AA7

Social Security Number

321405589

Sex Race

Male White

P height Date of Birth

t 5'9" 1948-04-30

1948-04-03

Hair Color Eye Color Fingerprint Pattern

Brown Brown 25PMPOPMP018PI22PI22 (FPC)

Place of Birth Citizenship

ATT 1, pg 8

A

Illinois United States  
Fingerprint Images  
Photo Images  
Photo Image Available  
Capture Date 1982-09-20  
(No Photo Image Transmitted )  
Photo Image Available  
Capture Date 2007-07-25  
(No Photo Image Transmitted )  
Photo Image Available  
Capture Date 2007-07-25  
(No Photo Image Transmitted )  
Photo Image Available  
Capture Date 2007-07-25  
(No Photo Image Transmitted )  
Photo Image Available  
Capture Date 2010-08-03  
(No Photo Image Transmitted )  
Photo Image Available  
Capture Date 2010-08-03  
(No Photo Image Transmitted )  
\*\*\*\*\* CRIMINAL HISTORY \*\*\*\*\*  
===== Cycle 001 =====  
Earliest Event Date 1982-09-20  
-----  
Arrest Date 1982-09-20  
Arrest Case Number 81E4732  
Arresting Agency IL0169M00 SPOL-CI-ZONE 4 CHICAGO  
Charge 1  
    Charge Literal THEFT  
    Severity Unknown  
Charge 2  
    Charge Literal INS FRAUD  
    Severity Unknown  
Charge 3  
    Charge Literal CONS TO COMMIT THEFT  
    Severity Unknown  
Charge 4  
    Charge Literal CONS TO COMMIT INS FRAUD  
    Severity Unknown  
===== Cycle 002 =====  
Earliest Event Date 2007-07-25  
-----  
Arrest Date 2007-07-25  
Arrest Case Number  
Arresting Agency ILFBICG00 FBI CHICAGO  
Subject's Name SCAVO, VITO R  
Charge 1  
    Charge Literal 2699 - FRAUD  
    Severity Unknown  
-----  
Court Disposition (Cycle 002)  
Court Case Number  
Court Agency  
Charge 1  
    Charge Literal 1 COUNT OF RACKETEERING CONSPIRACY (TITLE 18  
    USC SEC 1962(D))  
    Disposition ( 06/01/09 CONVICTED)  
Charge 2  
    Charge Literal 8 COUNTS OF MAIL FRAUD (TITLE 18 USC SEC 1941)

ATT/P69

	Disposition	( 06/01/09 CONVICTED)
Charge	Charge Literal	3
	Disposition	2 COUNTS OF WIRE FRAUD (TITLE 18 USC SEC 1943)
Charge	Charge Literal	( 06/01/09 CONVICTED)
	Disposition	4
Charge	Charge Literal	1 COUNT OF EXTORTION (TITLE 18 USC SEC 1951)
	Disposition	( 06/01/09 CONVICTED)
Charge	Charge Literal	5
	Disposition	1 COUNT OF OBSTRUCTION OF JUSTICE (TITLE 18 USC SEC 1503)
Charge	Charge Literal	( 06/01/09 CONVICTED)
	Disposition	6
Charge	Charge Literal	9 COUNTS OF FILING FALSE FEDERAL INCOME TAX RETURNS (TITLE 26 SEC 7206(1))
	Disposition	( 06/01/09 CONVICTED; SENTENCED TO 6 YRS CONFINEMENT, 2. YRS SUPERVISED RELEASE, \$5000 FINE, \$12,600 RESTITUTION, \$100 SPECIAL ASSESSMENT)
<hr/>		
Corrections		(Cycle 002)
Supervision Date		2014-10-24
Corrections Agency		IL016017G US PROBATION CHICAGO
Correction Action		STATUS--SUPERVISED RELEASE/EARLY TERMINATION - GOALS ACHIEVED
Release Date		<hr/> ===== Cycle 003 =====
Earliest Event Date		2010-08-03
<hr/>		
Arrest Date		2010-08-03
Arrest Case Number		
Arresting Agency		MN069037C FED PRISON CAMP DULUTH
Subject's Name		SCAVO, VITO R
Charge	Charge Literal	1 CONSPIRACY TO COMMIT RACKETEERING & CORRUPT ORGANIZATION - 18 USC 1962(O); MAIL FRAUD (COUNTS 2-9) 18 USC 1341; WIRE FRAUD (COUNTS 10-11) 18 USC 1343; EXTORTION (COUNT 16) 18 USC 1951; OBSTRUCTION OF JUSTICE (COUNT 18) 18 USC 1503
	Severity	Unknown
Charge	Charge Literal	2 FILING A FALSE TAX RETURN (COUNTS 20-28) 18 USC 7206
	Severity	Unknown
<hr/>		
Court Disposition		(Cycle 003)
Court Case Number		
Court Agency		
Charge	Charge Literal	1 CONSPIRACY TO COMMIT RACKETEERING & CORRUPT ORGANIZATION - 18 USC 1962(O); MAIL FRAUD (COUNTS 2-9) 18 USC 1341; WIRE FRAUD (COUNTS 10-11) 18 USC 1343; EXTORTION (COUNT 16) 18 USC 1951; OBSTRUCTION OF JUSTICE (COUNT 18) 18 USC 1503
	Disposition	( 72 MONTHS CBOP, 2 YRS SRT, SENT IMPOSED 05-05-2010)
Charge	Charge Literal	2 FILING A FALSE TAX RETURN (COUNTS 20-28) 18 USC 7206

ATT1, PG 10

Disposition ( 36 MONTHS CBOP(CC), 1 YRS SRT(CC), SENT  
IMPOSED 05-05-2010)

\*\*\*\*\* INDEX OF AGENCIES \*\*\*\*\*

Agency SPOL-CI-ZONE 4; IL0169M00;

Agency Email Address

Address

8330 S KING DR  
CHICAGO, IL 604632341

-----  
Agency FBI; ILFBICG00;

Agency Email Address

Address

2111 W ROOSEVELT RD  
CHICAGO, IL 60608

-----  
Agency US PROBATION; IL016017G;

Agency Email Address

Address

230 S DEARBORN ST  
CHICAGO, IL 60604

-----  
Agency FED PRISON CAMP; MN069037C;

Agency Email Address

Address

PO BOX 1400  
DULUTH, MN 558141400

\* \* \* END OF RECORD \* \* \*

ATT/PG/11



## DL/ID Image Retrieval

### DL-ID Image

Driver License/ID #: S10087648123

Name: VITO R SCAVO

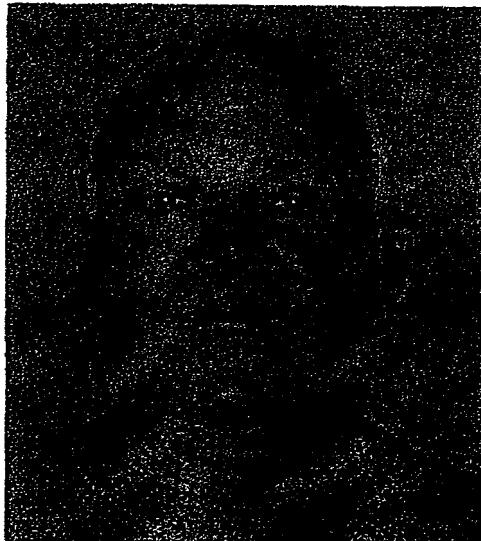
Street: 280 BRADDOCK

City: MELROSE PARK

Zip: 60160

Date Of Birth: 04/30/1948

Gender: MALE



*Close*

*Print*

Only for use as authorized by 625 ILCS 5/6-110.1 and 92 Ill. Adm. Code 1030.140. This information and image cannot be certified to be anything other than the information and image of the individual who presented himself or herself to the Secretary of State's Office with the required forms of identification.

# **EXHIBIT 29**

Mexico deposit paid in May 2017

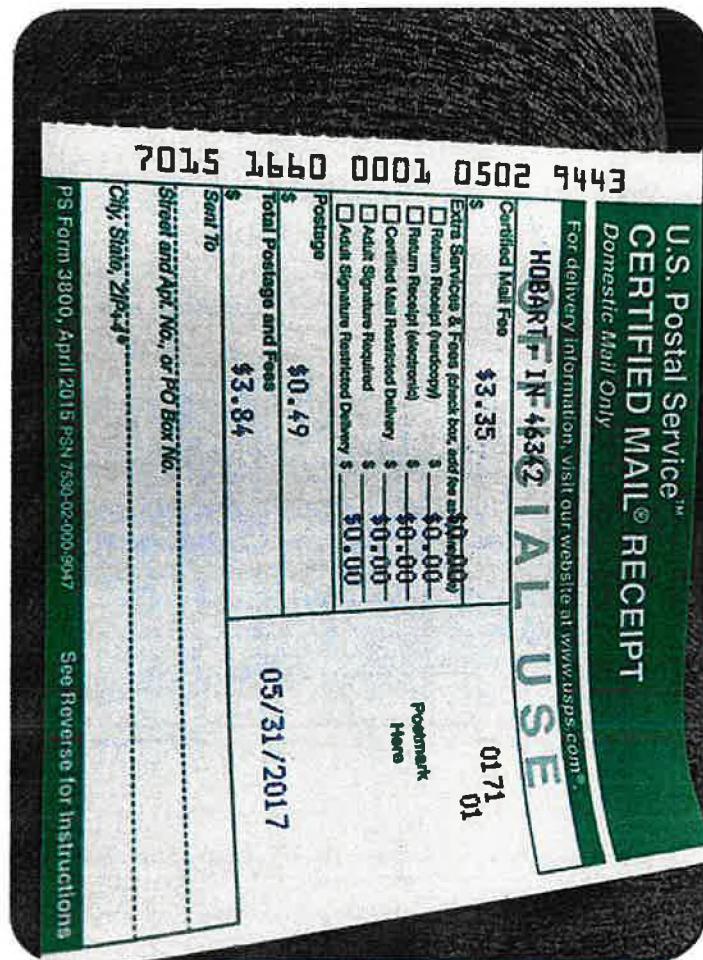


DB

i

Dan

May 31, 2017, 1:28 PM



Check is in the mail!

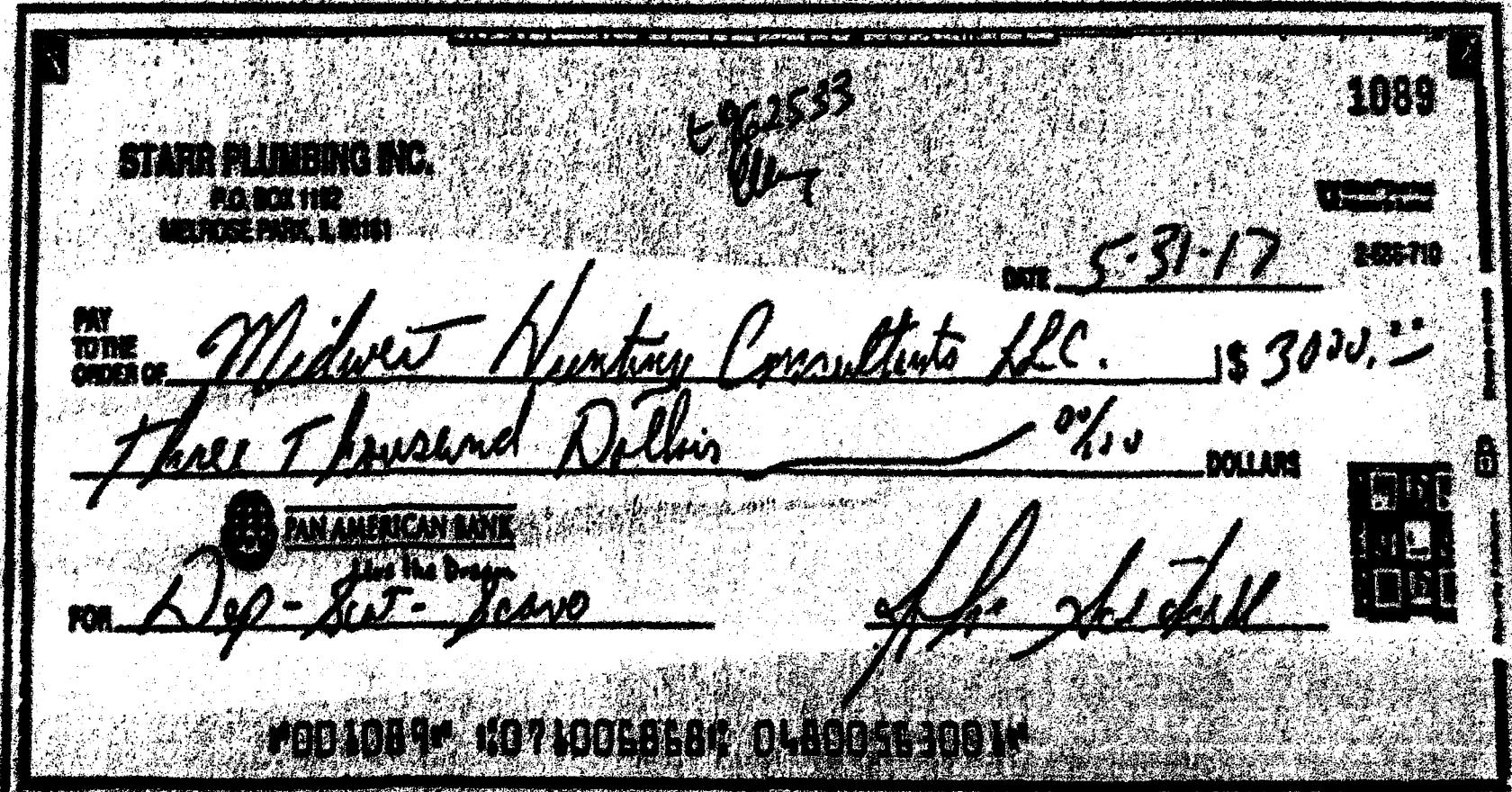
Jun 5, 2017, 5:58 PM

Hey Dan, I just wanted to see if you got the check for mine and Vitos deposit. It was made out from Starr Plumbing.

Got it.

Awesome

CHIEF'S EXHIBIT



Check 1089 Amount \$3,000.00 Date 6/7/2017

# **EXHIBIT 30**

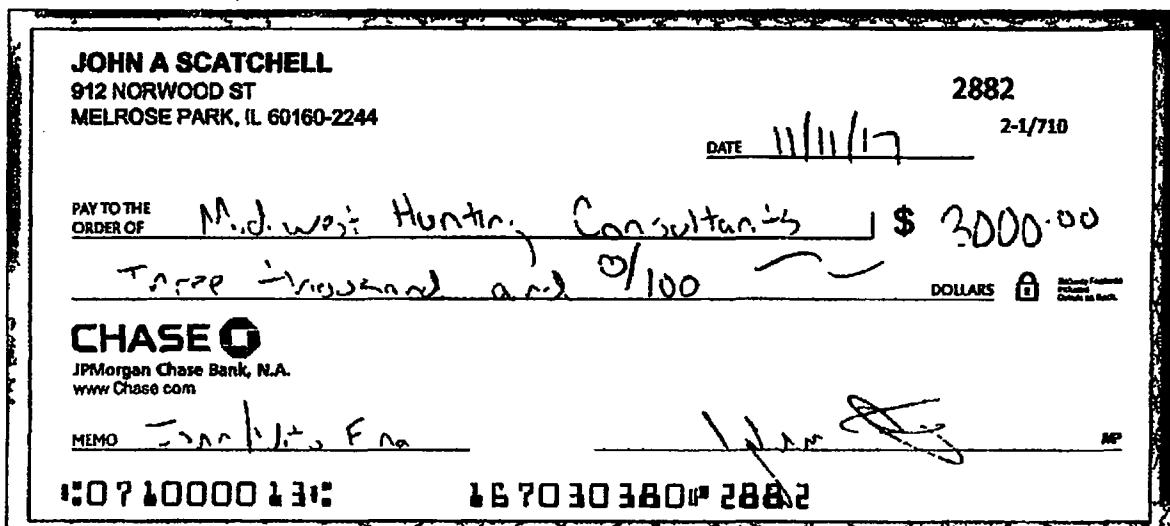
6/18/2018

Check Details - chase.com

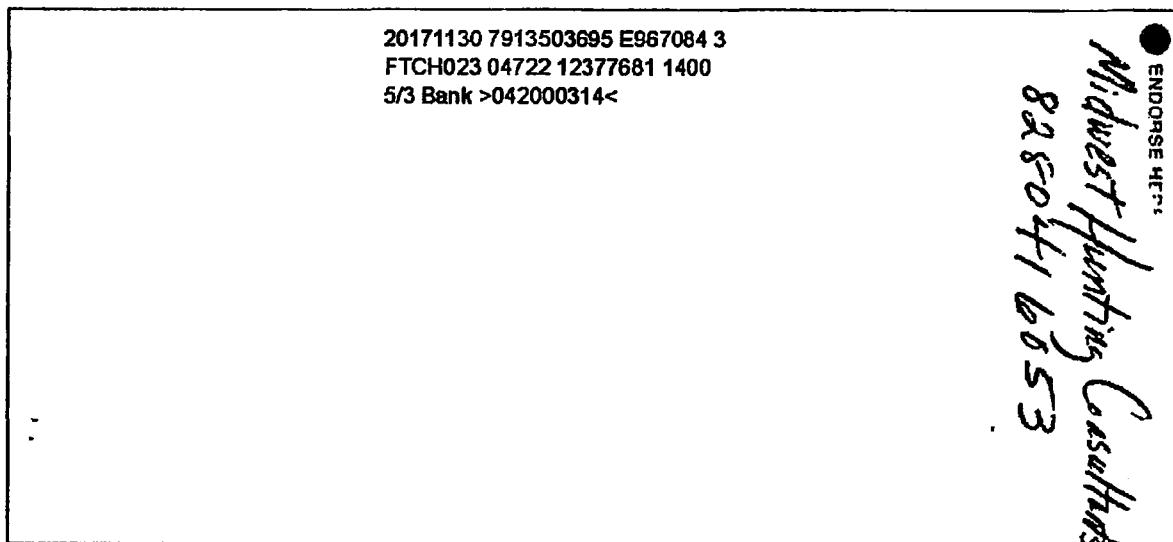


## Check

Front



Back



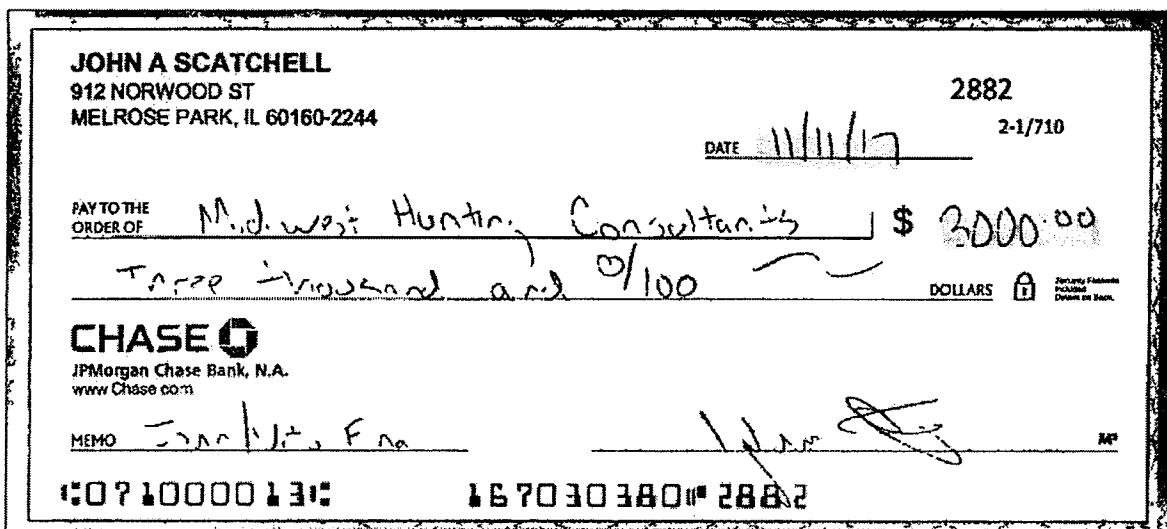
Post date	Check #	Check amount
Nov 30, 2017	2882	\$3,000.00



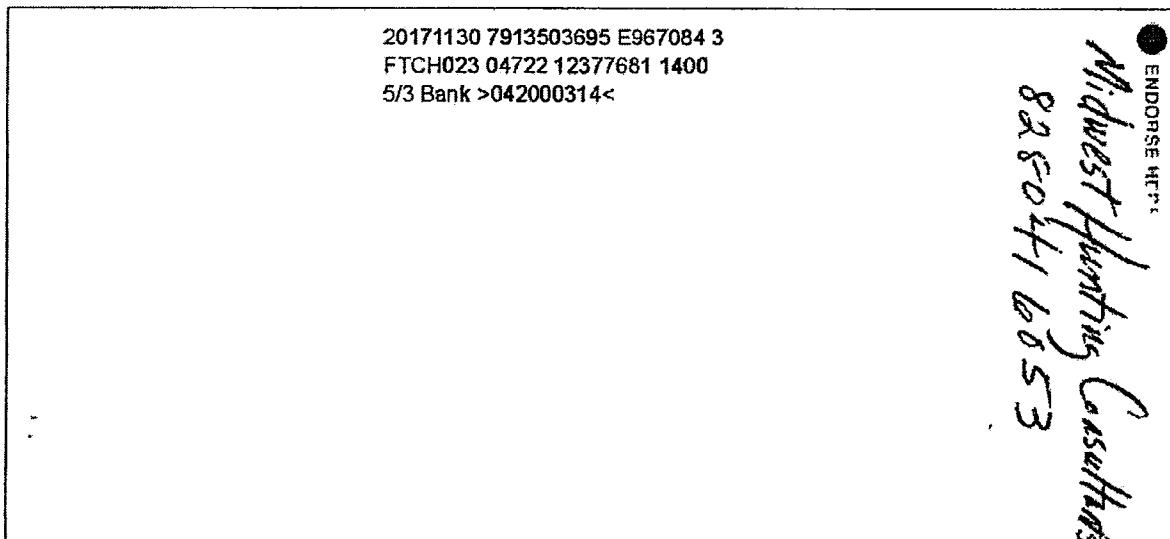
Check

2nd Deposit

Front



Back



Post date	Check #	Check amount
Nov 30, 2017	2882	\$3,000.00

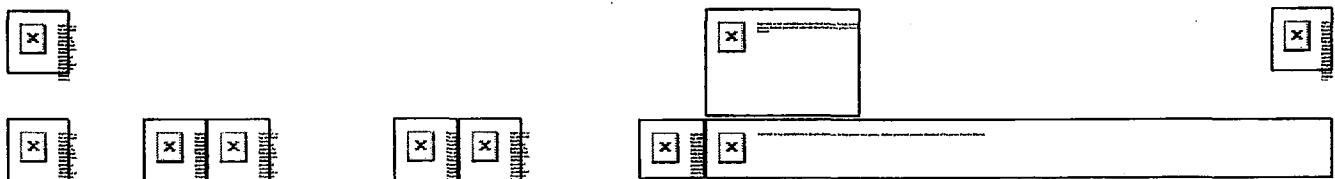
# **EXHIBIT 31**

**Fowler, Jeff**

**From:** Christopher Cooper <cooperlaw3234@gmail.com>  
**Sent:** Thursday, December 14, 2017 6:12 PM  
**To:** Fowler, Jeff  
**Subject:** Fwd: J. SCATCHELL 12/21/17 Itinerary

----- Forwarded message -----

**From:** John Scatchell <jscatch88@gmail.com>  
**Date:** Thu, Dec 14, 2017 at 6:11 PM  
**Subject:** Fwd: J. SCATCHELL 12/21/17 Itinerary  
**To:** cooperlaw3234@gmail.com



**AA Record Locator: USLFTI**

**Status: ON HOLD - Purchase By: Nov 22, 2017 11:59 PM PST**

**Your Itinerary**

Carrier	Flight Number	Departing		Arriving		Booking Code	Meals
		City	Date & Time	City	Time		
AMERICAN AIRLINES	2737	PDX Portland	Dec 21, 2017 07:45 PM	PHX Phoenix	Dec 21, 2017 11:20 PM	Y	Food for purchase
AMERICAN AIRLINES	2691	PHX Phoenix	Dec 22, 2017 12:55 AM	ORD Chicago	Dec 22, 2017 05:14 AM	Y	Food for purchase

**Traveler Information**

Passenger	Class	Seat Assignment
JOHN SCATCHELL	Economy	
ANTHONY MAGGIO	Economy	
JOHN SCATCHELL	Economy	
ANTHONY MAGGIO	Economy	

Traveling passengers may check in and obtain boarding passes for U.S. domestic electronic tickets within 24 hours of the flight time online at [AA.com](#) by using [www.aa.com/checkin](#) or at a Self-Service Check-In machine at the airport. Check-in options may be found at [www.aa.com/options](#). For information regarding American Airlines checked baggage policies, please visit [www.aa.com/baggageinfo](#).

*Scatchell* Dep Ex No. 16  
for ID, as of 1/9/18

Travelers must present a government-issue photo ID with either a boarding pass or a priority verification card at the security screening checkpoint

Please remember flight details are subject to change. In order to check a flight's status, gate, or departure and arrival time, go to [www.aa.com](http://www.aa.com) and enter the flight information in the Gates and Times search area. In order to receive automatic notifications of flight changes, click on the Flight Status Notifications section on the [www.aa.com](http://www.aa.com) homepage and enter the required flight and contact information.

[Privacy Policy](#)

Christopher Cooper, JD, ESQ, PhD, Practice in Indiana and Illinois

Fraternal Order of Police Legal Defense Plan Attorney

**EMPLOYMENT LAW PRACTICE (Before Police Boards & in Federal Court)**

Law Office of Christopher Cooper, INC.  
79 West Monroe Street, Suite 1213, Chicago, IL 60603  
TEL: 312 473 2968; Fax: 866 334 7458  
[cooperlaw3234@gmail.com](mailto:cooperlaw3234@gmail.com)

WEBSITE: [civilrightsemploymentlaw.com](http://civilrightsemploymentlaw.com)

**INDIANA**

LAW OFFICE OF CHRISTOPHER COOPER, INC.  
426 N. Broad Street, Griffith, Indiana 46319  
TEL: 219 228 4396 Fax: 866 334 7458  
[cooperlaw3234@gmail.com](mailto:cooperlaw3234@gmail.com)

**CONFIDENTIAL AND PRIVILEGED:** This e-mail message (including any attachments hereto) contains information which is confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone this message or any information contained in the message. If you have received this message in error, please advise the sender by reply email and delete this message.

# **EXHIBIT 32**

## Fowler, Jeff

**From:** Christopher Cooper <cooperlaw3234@gmail.com>  
**Sent:** Thursday, December 14, 2017 6:12 PM  
**To:** Fowler, Jeff  
**Subject:** Fwd: MileagePlus eTicket Itinerary and Receipt for Confirmation MDWZHK

----- Forwarded message -----

**From:** John Scatchell <jscatch88@gmail.com>  
**Date:** Thu, Dec 14, 2017 at 6:11 PM  
**Subject:** Fwd: MileagePlus eTicket Itinerary and Receipt for Confirmation MDWZHK  
**To:** [cooperlaw3234@gmail.com](mailto:cooperlaw3234@gmail.com)



Confirmation:  
MDWZHK

Issue Date: November 18, 2017

## TRAVELER INFORMATION

Traveler	eTicket Number	Frequent Flyer Number	Seats
SCATCHELLJR/JOHN	0162374215620	UA-XXXXX787	36C

## FLIGHT INFORMATION

Day, Date	Flight	Class	Departure City and Time	Arrival City and Time	Aircraft	Meal
Sun, 17DEC17	UA1836	YN	CHICAGO, IL (ORD - O'HARE) 4:35 PM	PORLAND, OR (PDX) 7:06 PM	A-320	Purchase

## FARE INFORMATION

### Fare Breakdown

- Airfare:  
USD
- September 11th Security Fee:

MileagePlus Account Debited: MileagePlus Miles Debited/  
DLV27787  
Award Used:  
0.00 Form of Payment: 25000/E25K  
VISA  
Last Four Digits 7868

5.60

- Per Person Total:

5.60

USD

- eTicket Total:

5.60

USD

The airfare you paid on this itinerary totals: 0.00 USD

The taxes, fees, and surcharges paid total: 5.60 USD

Award Rules: Additional charges may apply for changes in addition to any fare rules listed.

RWD/NONEND/-TRAN;VALID UA;NOT VALID AFTER 11/17/2018

All changes must be made prior to the departure date, or the ticket has no value.

---

## Baggage allowance and charges for this itinerary.

### Baggage fees are per traveler

Origin and destination for checked baggage	1 <sup>st</sup> bag	2 <sup>nd</sup> bag	Maximum weight and dimensions per piece of baggage Max wt / dim per piece
--	---------------------	---------------------	--

12/17/2017 Chicago, IL (ORD - O'Hare) to Portland, OR (PDX) 25.00 USD 35.00 USD 50.0lbs (23.0kg) - 62.0in (157.0cm)

---

## Important Information about MileagePlus Earning



Accruals vary based on the terms and conditions of the traveler's frequent flyer program, the traveler's frequent flyer status and the itinerary selected. United MileagePlus® mileage accrual is subject to the rules of the MileagePlus program.



Once travel has started, accruals will no longer display. You can view your MileagePlus account for posted accrual.



You can earn up to 75,000 award miles per ticket. The 75,000 award miles cap may be applied to your posted flight activity in an order different than shown.



PQD are a Premier status requirement for members in the U.S. only.



Accrual is only displayed for MileagePlus members who choose to accrue to their MileagePlus account.

---

## MileagePlus eTicket Reminders



**Check-in Requirement** - Bags must be checked and boarding passes obtained at least 30 minutes prior to scheduled departure. Baggage will not be accepted and advance seat assignments may be cancelled if this condition is not met.

**EXCEPTION:** When departing from Anchorage, Atlanta, Austin, Baltimore, Chicago, Cincinnati, Cleveland, Dallas/Ft. Worth, Denver, Detroit, Fort Lauderdale, Greenville-Spartanburg, Guam, Honolulu, Houston, Indianapolis, Jacksonville, Kona, Las Vegas, Los Angeles, Maui, Miami, New York (LGA), Newark, Orange County (SNA), Orlando, Philadelphia, Phoenix, Pittsburgh, Raleigh/Durham, Reno, San Diego, San Francisco, San Juan, PR (60 minutes), Savannah, Seattle, St. Louis, St. Thomas, U.S. Virgin Islands (60 minutes), Tampa, Washington, DC (both IAD and DCA), the check in requirement time for Passengers and Bags is 45 minutes except where noted.

- Boarding Requirement** - Passengers must be prepared to board at the departure gate with their boarding pass at least 15 minutes prior to scheduled departure.
- Failure to meet the **Boarding Requirements** may result in cancellation of reservations, denied boarding, removal of checked baggage from the aircraft and loss of eligibility for denied boarding compensation.
- Bring your boarding pass or this eTicket Receipt along with photo identification to the airport.
- The FAA now restricts carry-on baggage to one bag plus one personal item (purse, briefcase, laptop computer, etc.) per passenger. The fare rules for your ticket may restrict your carry-on baggage allowance even further.
- For up to the minute flight information, sign-up for our Flight Status Updates or call 1-800-824-6200; in Spanish 1-800-426-5561.
- If flight segments are not flown in order, your reservation will be cancelled. Rebooking will be subject to the fare rules governing your ticket.
- For the most current status of your reservation, go to our Flight Status page.
- Your eTicket is non transferable and valid for 1 year from the issue date unless otherwise noted in the fare rules.
- Award travel is subject to the terms and conditions of the MileagePlus program.
- Redeposit or change fees apply for award travel based on Premier level. Please go to united.com or call 800-UNITED-1 for details.

---

## Customer Care Contact Information

We welcome your compliments, comments or complaints regarding United or a United travel experience. You may contact us using our Customer Care form

---

## Refunds Within 24 Hours

When you book and ticket a reservation through united.com, the United mobile app, the United Customer Contact Center, at our ticket counters or city ticket offices, or if you use MileagePlus® miles to book an award ticket, we will allow you to cancel the ticketed reservation without penalty and receive a 100 percent refund of the ticket price to the original form of payment if you cancel the reservation within 24 hours of purchase and if the reservation is made one week or more prior to scheduled flight departure.

## Hazardous materials

Federal law forbids the carriage of hazardous materials on board aircraft in your luggage or on your person. A violation can result in five years imprisonment and penalties of \$250,000 or more (49 U.S.C. 5124).

Hazardous materials include explosives, compressed gases, flammable liquids and solids, oxidizers, poisons, corrosives and radioactive materials. Common examples of hazardous materials/dangerous goods

include spare or loose lithium batteries, fireworks, strike-anywhere matches, aerosols, pesticides, bleach and corrosive materials.

Additional information can be found on:

- - [united.com restricted items page](#)
  - [FAA website Pack Safe page](#)
  - [TSA website Prohibited Items page](#)

---

## Proud Member of Star Alliance

We are making connections so you make yours. You can earn and redeem miles on 28 member airlines offering over 18,000 daily flights to more than 1,300 destinations worldwide.

Go to [www.staralliance.com](#) to find out more. You've earned it.

---

### IMPORTANT CONSUMER NOTICES

**Notice of Baggage Liability Limitations** - For domestic travel between points within the United States (except for domestic portions of international journeys), United's liability for loss of, damage to, or delay in delivery of a customer's checked baggage is limited to \$3,500 per ticketed customer unless a higher value is declared in advance and additional charges are paid (not applicable to wheelchairs or other assistive devices). For such travel, United assumes no liability for high value, fragile, perishable, or otherwise excluded items; excess valuation may not be declared on certain types of valuable articles. Further information may be obtained from the carrier. For international travel governed by the Warsaw Convention (including the domestic portions of the trip), maximum liability is approximately 640 USD per bag for checked baggage, and 400 USD per passenger for uncheck baggage. For international travel governed by the Montreal Convention (including the domestic portions of the trip), maximum liability is 1,131 SDRs per passenger for baggage, whether checked or uncheck. For baggage lost, delayed, or damaged in connection with domestic travel, United requires that customers provide preliminary notice within 24 hours after arrival of the flight on which the baggage was or was to be transported and submit a written claim within 45 days of the flight. For baggage damaged or delayed in connection with most international travel (including domestic portions of international journeys), the Montreal Convention and United require customers to provide carriers written notice as follows: (a) for damaged baggage, within seven days from the date of receipt of the damaged baggage; (b) for delayed baggage, within 21 days from the date the baggage should have been returned to the customer. Please refer to Rule 28 of United's Contract of Carriage for important information relating to baggage and other limitations of liability.

**Notice of Incorporated Terms** - Transportation is subject to the terms and conditions of United's Contract of Carriage, which are incorporated herein by reference. Incorporated terms may include, but are not limited to: 1. Limits on liability for personal injury or death of the customer, and for loss, damage, or delay of goods and baggage, including high value, fragile, perishable, or otherwise excluded items. 2. Claims restrictions, including time periods within which customers must file a claim or bring an action against the carrier. 3. Rights of the carrier to change terms of the contract. 4. Rules about reconfirmation of reservations, check-in times, and refusal to carry. 5. Rights of the carrier and limits on liability for delay or failure to perform service, including schedule changes, substitution of an alternate air carrier or aircraft, and rerouting. The full text of United's Contract of Carriage is available at [united.com](#) or you may request a copy at any United ticket counter. Passengers have the

right, upon request at any location where United's tickets are sold within the United States, to receive free of charge by mail or other delivery service the full text of United's Contract of Carriage.

**Notice of Certain Terms** - If you have purchased a restricted ticket, depending on the rules applicable to the fare paid, one or more restrictions including, but not limited to, the following may apply to your travel: (1) the ticket may not be refundable but can be exchanged for a fee for another restricted fare ticket meeting all the rules/restrictions of the original ticket (including the payment of any difference in fares); (2) a fee may apply for changing/canceling reservations; or (3) select tickets may not be eligible for refunds or changes even for a fee; (4) select tickets have no residual value and cannot be applied towards the purchase of future travel; or (5) travel may be restricted to specific flights and/ or times and a minimum and/or maximum stay may be required. United reserves the right to refuse carriage to any person who has acquired a ticket in violation of any United tariffs, rules, or regulations, or in violation of any applicable national, federal, state, or local law, order, regulation, or ordinance. Notwithstanding the foregoing, you are entitled to a full refund if you cancel a ticket purchased at least a week prior to departure within 24 hours of purchase.

**Notice of Boarding Times** - For Domestic flights, customers must be at the boarding gate at least 15 minutes prior to scheduled departure. For International flights, customers must be at the boarding gate at least 30 minutes prior to scheduled departure. The time limits provided by United in this Notice are minimum time requirements. Customer and baggage processing times may differ from airport to airport. Please visit [united.com](http://united.com) for information regarding airport-specific boarding times. It is the customer's responsibility to arrive at the airport with enough time to complete check-in, baggage, and security screening processes within these minimum time limits. Please be sure to check flight information monitors for the correct boarding gate and the departure time of your flight. Failure to be at the boarding gate by the required time could result in the loss of your seat without compensation, regardless of whether you are already checked in or have a confirmed seat and boarding pass.

**Advice to International Passengers on Carrier Liability** - Passengers on a journey involving an ultimate destination or a stop in a country other than the country of departure are advised that international treaties known as the Montreal Convention, or its predecessor, the Warsaw Convention, including its amendments, may apply to the entire journey, including any portion thereof within a country. For such passengers, the treaty, including contracts of carriage embodied in applicable tariffs, governs, and may limit the liability of the Carrier in respect of death or injury to passengers, and for destruction or loss of, or damage to, baggage, and for delay of passengers and baggage.

**Notice - Overbooking of Flights** - Airline flights may be overbooked, and there is a slight chance that a seat will not be available on a flight for which a person has a confirmed reservation. If the flight is overbooked, no one will be denied a seat until airline personnel first ask for volunteers willing to give up their reservation in exchange for compensation of the airline's choosing. If there are not enough volunteers, the airline will deny boarding to other persons in accordance with its particular boarding priority. With few exceptions, including failure to comply with the carrier's check-in deadlines, which are available upon request from the air carrier, persons, denied boarding involuntarily are entitled to compensation. The complete rules for the payment of compensation and each airline's boarding priorities are available at all airport ticket counters and boarding locations. *Some airlines do not apply these consumer protections to travel from some foreign countries, although other consumer protections may be available. Check with your airline or your travel agent.*

Thank you for choosing United Airlines  
[united.com](http://united.com)

Legal Notices. Privacy Policy

Copyright © 2017 United Airlines, Inc. All rights reserved.

For assistance, please contact United Airlines via telephone or via e-mail.

Christopher Cooper, JD, ESQ, PhD, Practice in Indiana and Illinois

Fraternal Order of Police Legal Defense Plan Attorney

**EMPLOYMENT LAW PRACTICE (Before Police Boards & in Federal Court)**

Law Office of Christopher Cooper, INC.  
79 West Monroe Street, Suite 1213, Chicago, IL 60603  
TEL: 312 473 2968; Fax: 866 334 7458  
[cooperlaw3234@gmail.com](mailto:cooperlaw3234@gmail.com)

WEBSITE: [civilrightsemploymentlaw.com](http://civilrightsemploymentlaw.com)

**INDIANA**

LAW OFFICE OF CHRISTOPHER COOPER, INC.  
426 N. Broad Street, Griffith, Indiana 46319  
TEL: 219 228 4396 Fax: 866 334 7458  
[cooperlaw3234@gmail.com](mailto:cooperlaw3234@gmail.com)

**CONFIDENTIAL AND PRIVILEGED:** This e-mail message (including any attachments hereto) contains information which is confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone this message or any information contained in the message. If you have received this message in error, please advise the sender by reply email and delete this message.

# **EXHIBIT 33**



2017/18



## Outfitter Permit Application

Check all that apply: New \_\_\_\_\_ Renewal  Class A Permit Deer/Turkey \_\_\_\_\_ Class B Permit Waterfowl Name of Applicant (if individual) or Contact Person: Vito R. Scavo

Physical Address (No P.O. Box): [REDACTED]

City: [REDACTED] State: [REDACTED] Zip: [REDACTED] County: Cook

Date of Birth: [REDACTED] Phone Number: [REDACTED]

\*Business Name: I Decoy M Guide Service

Street: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip: [REDACTED] County: Cook

FEIN Number (if applicable): 1171A Phone Number: (708) 634-6673Web Site: www.idecoin.comApplicant is:  Individual  Partnership  
 Corporation  Limited Liability Company  
 Other (Specify): \_\_\_\_\_

\*If applicant is a business entity, attach a copy of the organization papers filed with the Illinois Secretary of State and/or the certificate of compliance with the Assumed Business Name Act from the County Clerk.

I hereby certify that the above named applicant is a (check one)  Resident  Non-Resident of Illinois.  
 (Note: An Illinois resident individual is a person who has resided in Illinois for at least 30 consecutive days prior to submitting any application. In order to qualify as a resident corporation or limited liability company, the business must have been in existence at least 30 days prior to submitting application for an Outfitter Permit, and more than 50% of the stock or ownership is owned by Illinois resident individuals.)

## LIST ALL GUIDES TO BE EMPLOYED (INCLUDING SELF)

Name: Vito R. Scavo

Address: [REDACTED]

Date of Birth: [REDACTED]

SSN: [REDACTED]

Name: John A. Scatchell

Address: [REDACTED]

Date of Birth: [REDACTED]

SSN: [REDACTED]

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

SSN: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

SSN: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

SSN: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

SSN: \_\_\_\_\_

Have all guides successfully completed an approved hunter safety course? (check one) Yes  No  If No, certification must be obtained before providing guide services.

ADDITIONAL NAMES MAY BE LISTED ON A SEPARATE SHEET OF PAPER.

application continued on reverse

04/04/14 CP 101

MPD/SCATCHELL 172

CHIEF'S EXHIBIT \_\_\_\_\_

1. A listing of the county, township, range, section, acres and landowner name of the property where the outfitting services will be provided.

2. For Class A outfitters - completed proposed management plan, consisting of a description of hunting activities for the hunting season, including the approximate number of hunters, whether deer or turkey hunting and the type of weapons to be used. For Class B outfitter a description of the primary hunting activities proposed i.e.:duck or geese. (A management plan is not required for outfitters who only solicit or secure waterfowl, deer and/or turkey hunting clients for a landowner or tenant or another outfitter)

3. Proof of current commercial liability insurance for property damage, personal injury and death with a minimum benefit of \$1,000,000..

4. *For Class A renewals only.* Completed report of harvest form.

5. Class A Outfitters - Check or money order in the amount of \$500 for a resident applicant, \$2,500 for a non-resident applicant.

6. Class B Outfitters - Check or money order in the amount of \$250 for a resident applicant, \$1,500 for a non-resident applicant.

Certification:

IDNR requires license applicants to certify as follows: "I hereby certify, under penalty of perjury," that: (check all that apply)

I am not subject to a child support order.  
 I am not more than 30 days delinquent in complying with a child support order.  
 I am more than 30 days delinquent in complying with a child support order.  
 Prior to making application I have not been found guilty, by a court of law, of outfitting without a license.

Applicant's Social Security Number: [REDACTED]

Disclosure of applicant's Social Security Number is mandatory pursuant to 42 U.S.C. 666(a)(13) and 5 ILCS 100/10-65 for use under the State's child support enforcement program.

Failure to certify may result in denial of the application/renewal and making a false statement may subject the licensee to contempt of court [5 ILCS 100/10-65(c)].

I hereby certify that the information contained herein is true and accurate to the best of my knowledge.

Signature: [REDACTED]

Date: 7/1/17

Please return completed application to:  
Illinois Department of Natural Resources  
One Natural Resources Way  
Springfield, IL 62702-1271  
Attn: Outfitters

Equal opportunity to participate in programs of the Illinois Department of Natural Resources (IDNR) and those funded by the U.S. Fish and Wildlife Service and other agencies is available to all individuals regardless of race, sex, national origin, disability, age, religion or other non-merit factors. If you believe you have been discriminated against, contact the funding source's civil rights office and/or the Equal Employment Opportunity Officer, IDNR, One Natural Resources Way, Springfield, IL, 62702-1271; 217/785-0067; TTY 217/782-9175.

This information may be provided in an alternative format if required. Contact the IDNR Clearinghouse at 217/782-7498 for assistance.

Printed by the authority of the State of Illinois

0410W/CP 01  
Revised 1/26/2016

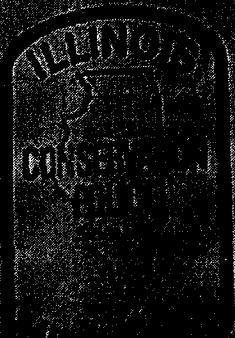
# **EXHIBIT 34**



**2017 - 2018**

**Illinois Licensed  
Waterfowl  
Outfitters**

*December 07, 2017*



---

**Scavo, Vito**

**I Decoy M Guide Service**

**280 Braddock Dr**

**Melrose Park, IL 60160**

**License #: WF1700619 County: Cook**

**Phone: (708) 906-3644**

**Date Issued: 07/24/2017 EXPIRES: 07/23/2018**

**Guides**

**John A Scatell**

**Vito R Scavo**

# **EXHIBIT 35**

**BOARD OF FIRE & POLICE COMM'R VILLAGE OF MELROSE PARK, IL**

**DEPUTY CHIEF MICHAEL CASTELLAN,  
PETITIONER,**

No. 18-1

v.

**JOHN SCATCHELL JR.,  
RESPONDENT.**

---

**Respondent's Answer to Petitioners' Statement of Charges**

NOW COMES Respondent, John A. Scatchell ("Ofc. Scatchell" or "Scatchell"), by and through his attorneys, Christopher C. Cooper and Gianna Scatchell of the Fraternal Order of Police Legal Defense Plan. Respondent hereby files his involuntary—and coerced—Answer to Petitioners' Statement of Charges against him. Respondent states that he has been compelled to "Answer", by Board of Fire & Police Comm'r Village of Melrose Park, Illinois ("Board" or "BOFPC") rules. Respondent will be filing his forthcoming Motion to Dismiss. Respondent further states that by compelling him to file an Answer, the Board has violated his 5<sup>th</sup> Amendment right not to incriminate himself. Accordingly, without admitting the legal sufficiency or waiving any objections and responding only to factual allegations therein, Respondent, through his attorneys, states as follows:

1. Director Pitassi at all times relevant to bringing these charges was and is the duly appointed Director of Police of the Village of Melrose Park.

**ANSWER:** Respondent objects to the undefined term "director" as vague and ambiguous because Pitassi uses Chief and Director interchangeably.<sup>1</sup> For the remaining allegations in this Paragraph, Scatchell has insufficient information to admit or deny the allegations contained in this Paragraph and, therefore, neither admits nor denies the same but demands strict proof thereof.

---

<sup>1</sup> True and correct copies of Pitassi using both Chief and Director are attached hereto as Exhibit 1

2. Deputy Chief Castellan at all times relevant to bringing these charges was and is a duly appointed Deputy Chief of Police of the Village of Melrose Park, and is authorized to act on behalf of the Director of Police in this matter.

**ANSWER:** Respondent admits that Deputy Chief Castellan is one of the deputy chiefs. For the remaining allegations in this Paragraph, Respondent has insufficient information to admit or deny the allegations and, therefore, neither admits nor denies the same but demands strict proof thereof.

3. Officer John A. Scatchell ("Ofc. Scatchell") is a duly appointed member of the Melrose Park Police Department and is an Officer as that term is defined in the Board's Rules and Regulations.

**ANSWER:** Admit

4. The Melrose Park Police Department has a very generous sick leave provision - full pay for six months for conditions that originated off duty and "An officer who is placed on sick leave as a result of an injury or illness contracted in the in [sic] line of duty shall be entitled to full pay for one (1) year."

**ANSWER:** Deny the allegations in the first sentence of this Paragraph because the phrase "generous sick leave policy" is vague, ambiguous, and argumentative. To the extent the allegations of Paragraph 4 seek to paraphrase or characterize the Sick Leave Policy, the document speaks for itself, and Scatchell denies the allegations to the extent that they are inconsistent with that document.<sup>2</sup>

5. Ofc. Scatchell was hired as a police officer for the Village of Melrose Park on September 26, 2012 and he received MPPD's Standard Operating Procedures and rules when he was hired.

**ANSWER:** Paragraph Five is admitted, except that Scatchell did not receive a printed version of the MPPD Standard Operating Procedures ("SOP's"), he received a CD-ROM. At the time Scatchell received the CD-Rom, he did not have an opportunity to review the 500 + page SOP's before directed to sign an acknowledgement form. Further, the SOP acknowledgement form was never signed by Scatchell.<sup>3</sup> Scatchell further states that the SOP Acknowledgement forms for 2013, 2014, 2015, 2016, and 2017 SOP's are not in his personnel file. Scatchell denies all remaining allegations in this Paragraph.

6. In February 2015 Ofc. Scatchell reported that he was injured in an altercation and he reportedly suffered from a cervical strain to his upper back and lower neck. Ofc. Scatchell was off work from February 5, 2015 until he was released to work frill duty effective April 24, 2015.

---

<sup>2</sup> Copies of the MPPD Sick Leave Policy, SOP's, and CBA are attached hereto as Exhibit 2.

<sup>3</sup> A copy of the unsigned Acknowledgement Form is attached hereto and incorporated by reference as Ex. 3.

**ANSWER:** Admit and Denies to the extent that the averment announces and medical diagnosis. Officer Scatchell is not competent to diagnose the then condition. Scatchell denies all remaining allegations in this Paragraph.

7. After February 2015, Ofc. Scatchell was not injured further while at work.

**ANSWER:** This Paragraph does not contain an allegation of fact to which no answer is required. Scatchell further objects to this allegation because the word "injured" is vague and broad. Scatchell denies all remaining allegations in this paragraph.

8. On or about July 24, 2017, Vito Scavo obtained a Waterfowl Outfitter's License on behalf of an entity named "I Decoy M Guide Service" for 2017-2018, listing Ofc. Scatchell as an employee and "Guide" for the Company. Ofc. Scatchell never sought or received permission to accept secondary employment with I Decoy M Guide Service.

**ANSWER:** Scatchell denies that he was employed with Scavo's company. Scatchell admits that he never sought or received permission to accept secondary employment because he was never an employee. For the remaining allegations in this Paragraph, Respondent has insufficient information to admit or deny the allegations contained in this Paragraph and, therefore, neither admits nor denies the same but demands strict proof thereof.

9. Mr. Scavo is a convicted felon. Ofc. Scatchell is aware that Mr. Scavo is a felon and is prohibited from possessing a firearm. In fact, possession of a firearm by a felon in Illinois is a Class 3 felony with a mandatory minimum 2-year prison sentence in Illinois, and is therefore a serious crime.

**ANSWER:** Scatchell objects to Paragraph 9 as seeking irrelevant, and highly prejudicial information about the former MPPD Police Chief who is not a party to this matter. The statement of fact is not reasonably calculated to produce discoverable evidence. The third sentence of paragraph 9 is a statement of law to which no response is required; therefore, Scatchell neither admits nor denies the same but demands strict proof thereof. To the extent that a response is required, Scatchell denies all remaining allegations and inferences in paragraph 9 of Petitioners' Statement of Charges.

10. Ofc. Scatchell is an avid hunter. He scheduled vacation for October 2017 to correspond with the beginning of waterfowl hunting season, and during that period he frequently went waterfowl hunting with Mr. Scavo.

**ANSWER:** The first sentence of this Paragraph contains Petitioner's characterization of Respondent, which requires no response. Scatchell objects to the undefined term "avid hunter" as vague, ambiguous, and prejudicial. Scatchell admits that one of his scheduled vacations occurred in October 2017. Scatchell denies the remaining allegations in this Paragraph because the information sought is irrelevant and not reasonably calculated to produce discoverable evidence.

11. Waterfowl hunting is typically done with a shotgun and shotguns have significant recoil affecting the shooter's shoulder, upper back and neck area.

**ANSWER:** The first sentence of this Paragraph contains Petitioner's characterization of "waterfowl hunting", which requires no response. To the extent that this Paragraph could be interpreted as containing any allegations of fact, Scatchell objects to the undefined term "shotgun" as vague and ambiguous. Several types of shotguns exist. Each type of shotgun has different recoil, size, and purpose. Scatchell also objects to the undefined term "significant recoil" as vague and ambiguous. Scatchell further objects to this Paragraph because the information sought is irrelevant and not reasonably calculated to produce discoverable evidence. To the extent that a response is deemed required, Scatchell denies all allegations and inferences contained in this paragraph.

12. Ofc. Scatchell was on approved vacation and/or "time due" from October 13, 2017 to November 8, 2017.

**ANSWER:** Based on recent claims by the MPPD through its attorneys as to what constitutes "approved" or "disapproved" vacation time, Respondent has insufficient information to admit or deny the allegations contained in this Paragraph and, therefore, neither admits nor denies the same but demands strict proof thereof.

13. According to Ofc. Scatchell, in late October or early November 2017, after he had been on vacation for at least ten days, and while he was on vacation, he felt pain in his back which he claims related to his February 2015 work-related injury.

**ANSWER:** Based on recent claims by the MPPD through its attorneys as to what constitutes "approved" or "disapproved" vacation time, Respondent has insufficient information to admit or deny the allegations contained in this Paragraph and, therefore, neither admits nor denies the same but demands strict proof thereof. To the extent that an answer is required, Respondent invokes his Fifth Amendment right to remain silent as to the matter of pain.

14. On November 9, 2017, Ofc. Scatchell presented a note from Dr. Maryam Sandoval reporting that Ofc. Scatchell "was seen and evaluated ... for an acute musculoskeletal condition that has not yet resolved. He remains on active treatment and has been advised to continue to rest at home. Please excuse the patient from work until further notice."

**ANSWER:** To the extent the allegations of Paragraph 14 seek to paraphrase or characterize Dr. Sandoval's doctor's note, the document speaks for itself. A true and correct copy of the Dr.'s Note is attached hereto and incorporated by reference as Exhibit 3. Scatchell denies the allegations to the extent that they are inconsistent with that document.<sup>4</sup>

---

<sup>4</sup> A true and correct copy of the Dr.'s Note is attached hereto and incorporated by reference as Exhibit 4.

15. Ofc. Scatchell did not tell his physicians that he was hunting during his medical leave or ask about whether hunting with a shotgun was consistent with the medical restrictions.

**ANSWER:** Petitioner's allegation is vague and ambiguous and, therefore, is denied in its entirety. Officer Scatchell further denies these allegations as premature and based on speculation. Scatchell objects to the undefined term "hunting" as vague and ambiguous and, therefore, is denied in its entirety. To the extent that a response is deemed required, Scatchell denies all remaining allegations and inferences contained in paragraph 15.

16. In contravention to his doctor's orders, Ofc. Scatchell frequently went hunting for waterfowl during the period of his medical leave, usually carrying heavy equipment and shotguns.

**ANSWER:** Deny. Petitioner's allegation is inconsistent and contradictory to the allegation in Paragraph 15. Either Officer Scatchell did not tell his doctors he was hunting (Paragraph 15) or he violated his doctor's orders not to hunt (Paragraph 16). Scatchell objects to the undefined term "hunting" as vague and ambiguous and, therefore, is denied in its entirety. To the extent that an answer is deemed required, Scatchell denies all remaining allegations contained in Paragraph 16.

17. On November 19, 2017, Ofc. Scatchell asked his supervisor for time off on December 21, 22, 26, 27, 28, 29, 30 and 31st to travel to Mexico. On December 4, 2017, the request was denied because Ofc. Scatchell was on medical leave.

**ANSWER:** Scatchell has insufficient information to admit or deny the allegations because of the word "time off." To the extent that an answer is required, Respondent invokes his Fifth Amendment right to remain silent.

On October 6, 2017, Ofc. Scatchell obtained air travel arrangements for he and Mr. Scavo to travel to and from Harlingen, Texas, between December 26-30, 2018.

**ANSWER:** Scatchell has insufficient information to admit or deny the allegations because of the phrase "obtained." To the extent that a response is required, Scatchell objects to these allegations as irrelevant and not likely to produce discoverable evidence.

18. On or about November 18, 2017, Ofc. Scatchell obtained air travel arrangements to travel to and from Washington from December 17 to December 22, 2017. [sic].

**ANSWER:** Scatchell has insufficient information to admit or deny the allegations because of the phrase "obtained."

19. Ofc. Scatchell went on the trip to Washington as he had scheduled and his activities there included waterfowl hunting. Director Pitassi and Deputy Chief Castellan believe that Ofc. Scatchell also took his planned trip to Mexico in late December 2017.

**ANSWER:** Scatchell objects to this allegation to the extent it requires him to speculate as to what Pitassi and Castellan believe. Scatchell further objects to the reliance on the

undefined term “waterfowl hunting” as vague and ambiguous. Respondent admits he was in Washington. Scatchell denies all remaining allegations in this paragraph.

20. On November 20, 2017, Ofc. Scatchell, Mr. Scavo and others were hunting from a small boat and they were observed by Illinois Conservation Police with Mr. Scavo possessing a firearm and actively shooting over a prolonged period. When the boat returned to the shore, the Conservation Police Officer met and interviewed the group, including Ofc. Scatchell, who showed his Melrose Park Police Department badge and identified himself as a Melrose Park police officer and said that “he could not say if he saw Scavo shoot or not” and “[w]e are all in law enforcement here, we all know what’s going on.” Ofc. Scatchell knew that the Conservation Police Officer stated that he saw Mr. Scavo possessing and firing a shotgun, knew that the Conservation Police Officer did not believe Ofc. Scatchell’s denials and knew that the conduct would constitute a felony, but Ofc. Scatchell did not report the contact with the Conservation Police Officer to his supervisors.

**ANSWER:** Scatchell objects to the undefined terms “hunting” and “prolonged period” as vague and ambiguous. Scatchell further denies this allegation on the grounds that this excerpt does not fully encapsulate Scatchell’s response during his Interrogation.<sup>5</sup> Scatchell additionally objects to the allegation that would require him to speculate as to what the DNR officer saw. Scatchell further denies that the allegations or inferences in Paragraph 20 contain a complete understanding of the conversation with the DNR. Scatchell only participated in an informal conversation. Scatchell denies all remaining allegations of fact contained in this paragraph.

21. On November 27, 2017, Ofc. Scatchell presented a note from Dr. Sandoval stating that “has been advised to resume light exercises and may walk outside of his home. However, he is not able to return to his full-time [sic] work pending completion and review of ordered tests.” During the ensuing period, Ofc. Scatchell did not merely engage in “light exercises” or “walk outside of his home,” but instead continued hunting activities on virtually a daily basis.

**ANSWER:** Scatchell objects to the undefined terms “hunting” as vague and ambiguous. Scatchell admits that on November 27, 2017, he presented a doctor’s note from Dr. Sandoval.<sup>6</sup> To the extent the allegations of this Paragraph seek to paraphrase or characterize the contents of that written document, the document speaks for itself, and Respondent denies the allegations to the extent that they are inconsistent with that document. Respondent denies all remaining allegations and inferences contained in this Paragraph.

22. On December 8, 2017, Director Pitassi and Deputy Chief Castellan issued a notice to Ofc. Scatchell, informing him of the investigation into his conduct and scheduling an “interrogation” of Ofc. Scatchell. Ofc. Scatchell did not appear as ordered, and a new Notice was issued on December 20, 2017.

---

<sup>5</sup> A true and correct copy of the Interrogation transcript is attached hereto and incorporated by reference as Ex. 5.

<sup>6</sup> A true and correct copy of the 11/27/2017 Doctor’s Note is attached hereto and incorporated by reference as Ex. 6.

**ANSWER:** Scatchell admits that he received correspondence from Pitassi and Castellan. Scatchell denies that he did not appear as ordered for two reasons. First, the original hearing date, was on 12/19/2017, Scatchell's day off. Pursuant to the Uniform Peace Officer Disciplinary Act, any interrogations should be scheduled when the officer is on duty.<sup>7</sup> Second, someone changed Scatchell's status on the MPPD's department scheduling software so that he did not have a day off, but was instead on sick leave.<sup>8</sup> Scatchell denies all remaining allegations of fact contained in this paragraph.

23. On December 15, 2017, Ofc. Scatchell presented a note from Dr. Sandoval stating that Ofc. Scatchell's "ongoing medical problem ... has improved but not resolved. Based on recent test results, the patient has been referred to a specialist and his appointment is still pending. In the meantime, he may return to light duty employment pending the consultant input. His prior arranged travel plans are deemed safe and should not affect his ongoing medical problems." However, Ofc. Scatchell had not told Dr. Sandoval about the details of his travel plans, including his plan to go hunting.

**ANSWER:** Scatchell admits that on 12/15/2017, he presented a doctor's note from Dr. Sandoval.<sup>9</sup> To the extent the allegations of this Paragraph seek to paraphrase or characterize the contents of that written document, the document speaks for itself, and Respondent denies the allegations to the extent that they are inconsistent with that document. Respondent denies all remaining allegations and inferences contained in this Paragraph.

24. On January 8, 2018, Dr. Sandoval issued a work restriction limiting Ofc. Scatchell to "Desk duty such as typing and paperwork" "but he should not carry or wear heavy equipment (ex. body armor) until seen by a specialist."

**ANSWER:** Scatchell admits that on January 8, 2018, he presented a doctor's note from Dr. Sandoval.<sup>10</sup> To the extent the allegations of this Paragraph seek to paraphrase or characterize the contents of that written document, the document speaks for itself, and Respondent denies the allegations to the extent that they are inconsistent with that document. Respondent denies all remaining allegations and inferences contained in this Paragraph.

25. On January 9, 2018, Ofc. Scatchell participated in an interrogation regarding the investigation being conducted into his conduct. During the interrogation, Ofc. Scatchell was dishonest in some of his responses. For example, Ofc. Scatchell claimed that after feeling pain

---

<sup>7</sup> 50 ILCS 725/3.3 ("All interrogations shall be conducted at a reasonable time of day. Whenever the nature of the alleged incident and operational requirements permit, interrogations shall be conducted during the time when the officer is on duty.")

<sup>8</sup> A true and correct copy of the Schedule change is attached hereto and incorporated by reference as Ex. 7.

<sup>9</sup> A true and correct copy of the 12/15/2017 Doctor's Note is attached hereto and incorporated by reference as Ex. 8.

<sup>10</sup> A true and correct copy of the 01/08/2018 Doctor's Note is attached hereto and incorporated by reference as Ex. 9.

in his neck and back in early November 2017 he took extensive time off of hunting, he denied carrying two shotguns during his hunting trips in November 2017, he denied seeing Mr. Scavo possessing or firing a shotgun on November 20, 2018, -he denied that his shotguns had a recoil that could have affected his alleged neck or back injury, he falsely reported the findings of the Conservation Officer on November 20, 2017, and he falsely reported the dates he was working a side-job (when he claims that he noticed a re-injury). Each of these statements was false.

**ANSWER:** Scatchell objects to the undefined terms “hunting” as vague and ambiguous. Scatchell further objects to the undefined term “extensive” as overly broad without any constraining parameters. Scatchell admits that on January 9, 2018, he participated in an interrogation. To the extent that this Paragraph contains allegations of fact, Scatchell denies the remaining allegations.

26. During the interrogation, Ofc. Scatchell’s attorney agreed that Ofc. Scatchell would sign a release for the Village to obtain his medical records.

**ANSWER:** Scatchell admits that his attorney discussed the option of signing a medical release, but the attorneys had not yet limited the scope of the authorization. See Scatchell Interrogation pp. 157 – 160. To the extent the allegations of Paragraph 26 seek to paraphrase or characterize the conversation during the Interrogation, the transcript speaks for itself, and Scatchell denies the allegations to the extent that they are inconsistent with that document.

27. On January 10, 2018, Ofc. Scatchell was given a work restriction from Dr. Dalip Pelinkovic, limiting him to sedentary work and no lifting more than ten pounds for six weeks.

**ANSWER:** Scatchell admits that on January 10, 2018, he presented a doctor’s note from Dr. Dalip Pelinkovic.<sup>11</sup> To the extent the allegations of this Paragraph seek to paraphrase or characterize the contents of that written document, the document speaks for itself, and Respondent denies the allegations to the extent that they are inconsistent with that document. Respondent denies all remaining allegations and inferences contained in this Paragraph.

28. After multiple communications between the Village’s attorney and Scatchell’s attorney about the medical release, on February 13, 2018, Director Pitassi issued a written order to Ofc. Scatchell to sign a medical release attached to the Order, and he was “further ordered not to hinder or interfere, in any way, with the medical providers regarding their submission of such records.” Rather than sign the release as instructed by Director Pitassi, Ofc. Scatchell instead (through his attorney/sister) signed a limited release applicable only to Dr. Sandoval and excluding any medical records from any other provider, including the specialist identified by Dr. Sandoval, and excluding any correspondence relating to Ofc. Scatchell.

---

<sup>11</sup> A true and correct copy of the 11/27/2017 Doctor’s Note is attached hereto and incorporated by reference as Ex. 10.

**ANSWER:** Respondent objects to this Paragraph because the information requested is protected from disclosure by the Fifth Amendment of the US Constitution in that Respondent has a right to not incriminate himself, and therefore incorporates his First Affirmative Defense (*infra*). Respondent further avers that he is under no obligation to incriminate himself.

Respondent admits that he signed a limited release at the advice of his attorney because Petitioner was not clear on which other medical providers it sought to subpoena. Respondent also has a right to privileged communications with his physician. Respondent has both a fundamental privacy and HIPAA (Health Insurance Portability and Accountability Act of 1996) right not to disclose his medical records to MPPD.

Respondent also admits that on or about February 13, 2018, Director Pitassi issued a written order compelling him to sign the medical release, but denies that he "hindered or interfered, in any way, with the medical providers regarding their submission of such records." Scatchell admits that his attorney removed the "request for correspondence relating to Scatchell" from the medical authorization because it is privileged communication between a doctor and her patient.

Scatchell objects to the undefined term "multiple communications." Scatchell admits that the Village's attorney and his attorney communicated about the medical authorizations, but denies that his attorneys agreed on the language of the medical authorization form. Scatchell denies the remaining allegations of this paragraph.

29. Despite Ofc. Scatchell's failure to comply with Director Pitassi's order, MPPD submitted the signed release to the medical providers and as of March 23, 2018, no documents have been provided. Director Pitassi and Deputy Chief Castellan therefore believe that Ofc. Scatchell has interfered with the production of his medical records, also in violation of the direct order he was given on February 13, 2018.

**ANSWER:** Respondent incorporates his affirmative defense (number 1), *infra*. Respondent is under no obligation to incriminate himself. Respondent has a right to privileged communications with his physician. Respondent has both fundamental and HIPAA (Health Insurance Portability and Accountability Act of 1996) rights not to disclose his medical records to MPPD.

Scatchell objects to the allegations relating to "Director Pitassi and Deputy Chief Castellan's belie[f]" as inadmissible hearsay. Scatchell has insufficient information to admit or deny the allegations that MPPD submitted the signed release to the medical providers or what Director Pitassi or DC Castellan "believe", therefore, he neither admits nor denies the same but demands strict proof thereof.

Scatchell denies that he failed to comply with 02/13/2018 Order because his attorney Emailed Petitioner's attorney a signed medical authorization form on 02/16/2018, which was the date of compliance. Scatchell further denies that he interfered with the production of medical records in violation of the 02/13/2018 Order. Scatchell admits that no

documents have been provided because Petitioner failed to follow the subpoena procedure as articulated by DuPage Medical Group.<sup>12</sup> Scatchell denies all remaining allegations of this paragraph.

**COUNT I - Abuse of Sick Leave**

30. Director Pitassi and Deputy Chief Castellan refer to and incorporate by reference the allegations in paragraphs 1-30 above as though fully set forth herein.

**ANSWER:** Respondent re-alleges and incorporates his answers to the allegations of paragraphs 1-29 as his answer to Paragraph 30 as though fully set forth herein.

31. MPPD's Policy Manual Rule 340.5.5(c) prohibits excessive absenteeism or abuse of leave privileges. Further, Section 1014.2 provides, "Sick leave is not considered vacation, and abuse of sick leave may result in discipline and/or denial of sick-leave benefits. Employees on sick leave shall not engage in other employment or self-employment, or participate in any sport, hobby, recreational or other activity which may impede recovery from the injury or illness."

**ANSWER:** Scatchell admits that Petitioner accurately quoted MPPD SOP's: §§ 340.5.5(c) or 1014.2. Code of Ethics in the MPPD Policy. To the extent the allegations of this Paragraph seek to paraphrase or characterize the MPPD Policy Manual, the document speaks for itself, and Scatchell denies any allegations to the extent that they are inconsistent with that document.

32. Ofc. Scatchell's actions constituted an abuse of sick leave.

**ANSWER:** Officer Scatchell denies the conclusory allegations contained in Paragraph 32.

**COUNT II - FAILURE TO REPORT CONTACT WITH ANOTHER LAW ENFORCEMENT AGENCY**

33. Director Pitassi and Deputy Chief Castellan refer to and incorporate by reference the allegations in paragraphs 1-33 above as though fully set forth herein.

**ANSWER:** Respondent re-alleges and incorporates his answers to the allegations of paragraphs 1-32 as his answer to Paragraph 33 as though fully set forth herein.

34. MPPD's Policy Manual contains a Law Enforcement Code of Ethics, which includes, in part, the statement that "I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice."

**ANSWER:** Scatchell admits that Petitioner accurately quoted the Law Enforcement Code of Ethics in the MPPD Policy. To the extent the allegations of this Paragraph seek to

---

<sup>12</sup> A true and correct copy of the Denial Letter from DuPage Medical Group is attached hereto and incorporated by reference as Exhibit 11.

**paraphrase or characterize the MPPD Policy Manual, the document speaks for itself, and Scatchell denies the allegations to the extent that they are inconsistent with that document.**

35. MPPD's Policy Manual Rule 340.5.9(a) requires officers to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution.

**ANSWER:** Scatchell admits that Petitioner accurately paraphrases MPPD's Policy Manual Rule 340.5.9(a). To the extent the allegations of this Paragraph seek to paraphrase or characterize the MPPD Policy Manual, the document speaks for itself, and Scatchell denies the allegations to the extent that they are inconsistent with that document.

36. Ofc. Scatchell violated MPPD's rule by failing to report his contact with the Illinois Conservation Police on November 20, 2017.

**ANSWER:** Officer Scatchell denies the conclusory allegations contained in this Paragraph.

#### **COUNT III - False Report to MPPD**

37. Director Pitassi and Deputy Chief Castellan refer to and incorporate by reference the allegations in paragraphs 1-37 above as though fully set forth herein.

**ANSWER:** Respondent re-alleges and incorporates his answers to the allegations of paragraphs 1-36 as his answer to Paragraph 37 as though fully set forth herein.

38. MPPD's Policy Manual Rules 340.5.8(a), (c) and (D) prohibit officers from failing to disclose or misrepresenting material facts during the course of any work-related investigation.

**ANSWER:** To the extent the allegations of Paragraph 38 seek to paraphrase or characterize the MPPD Policy Manual, the document speaks for itself, and Scatchell denies the allegations to the extent that they are inconsistent with that document.

39. Ofc. Scatchell violated MPPD's rules through his false statements to MPPD during its investigation of his conduct, including the following: a) he took an extensive period of time off of hunting after noticing pain in his back in late October or early November 2017; b) he never carried two shotguns during the period of October to December 2017; c) his statement that he did not see Mr. Scavo possessing a firearm or shooting on November 20, 2017; d) that his shotguns did not have a recoil that could have affected his alleged neck or back injury; he falsely reported the findings of the Conservation Officer on November 20, 2017; and he falsely reported the dates he was working a side-job (when he claims that he noticed a re-injury).

**ANSWER:** Officer Scatchell denies the allegations contained in this Paragraph in their entirety.

**COUNT IV - PROVIDING FALSE INFORMATION TO ANOTHER LAW ENFORCEMENT AGENCY**

40. Director Pitassi and Deputy Chief Castellan refer to and incorporate by reference the allegations in paragraphs 1-40 above as though fully set forth herein.

**ANSWER:** Respondent re-alleges and incorporates his answers to the allegations of paragraphs 1-39 as his answer to Paragraph 40 as though fully set forth herein.

41. MPPD's Policy Manual Rule 340.5.8(i) prohibits officers from engaging in any act, on- or off-duty, that brings discredit to MPPD.

**ANSWER:** To the extent the allegations of this Paragraph seek to paraphrase or characterize the MPPD Policy Manual, the document speaks for itself, and Scatchell denies the allegations to the extent that they are inconsistent with that document.

42. Pursuant to MPPD's Policy Manual Section 340.2 and 340.4, officers must follow MPPD guidelines both on and off duty.

**ANSWER:** To the extent the allegations of this Paragraph seek to paraphrase or characterize the MPPD SOPS §§ 340.2 and 340.4, the documents speak for themselves, and Scatchell denies the allegations to the extent that they are inconsistent with that document.

43. Rule 200.3.3 of MPPD's Policy Manual requires officers to "respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority" and Section 340.3 provides that officers "shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification."

**ANSWER:** To the extent the allegations of this Paragraph seek to paraphrase or characterize the MPPD SOPS §§ 200.3.3 and 340.3, the documents speak for themselves, and Scatchell denies the allegations to the extent that they are inconsistent with that document.

44. Ofc. Scatchell violated MPPD rules by not cooperating with and providing knowingly false information to a Conservation Police Officer on November 20, 2017.

**ANSWER:** Officer Scatchell denies the allegations contained in this Paragraph in their entirety.

**COUNT V - Violating MPPD Rules in Communications with Conservation Police**

45. Director Pitassi and Deputy Chief Castellan refer to and incorporate by reference the allegations in paragraphs 1-45 above as though fully set forth herein.

**ANSWER:** Respondent re-alleges and incorporates his answers to the allegations of paragraphs 1-44 as his answer to Paragraph 45 as though fully set forth herein.

46. MPPD's Policy Manual prohibits officers from "using or disclosing one's status as a member of the Melrose Park Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity."

**ANSWER:** To the extent the allegations of this Paragraph seek to paraphrase or characterize the MPPD Policy Manual, the document speaks for itself, and Scatchell denies the allegations to the extent that they are inconsistent with that document.

47. Ofc. Scatchell violated MPPD rules by showing his badge and identifying himself as a Melrose Park Police Officer to the Conservation Police Officer on November 20, 2017, and stating, "We are all in law enforcement here, we all know what's going on."

**ANSWER:** Deny in part as the recitation is incomplete. This does not correctly set out the general tenor of Scatchell's conversation regarding the DNR.<sup>13</sup> To the extent the allegations of this Paragraph seek to paraphrase or characterize the Interrogation transcript, the document speaks for itself and Scatchell denies the allegations to the extent that they are inconsistent with that document.

**COUNT VI - Disobeying Lawful Order Regarding Medical Records**

48. Director Pitassi and Deputy Chief Castellan refer to and incorporate by reference the allegations in paragraphs 1-48 above as though fully set forth herein.

**ANSWER:** Respondent repeats and re-alleges the allegations contained in paragraphs 1-47 as his answer to Paragraph 48 as though fully set forth herein.

49. Ofc. Scatchell disobeyed a lawful order from his supervisors by refusing to sign the medical release as instructed, and instead signing a modified version that did not adequately address all of the records that are relevant to his medical condition.

**ANSWER:** Respondent incorporates his affirmative defense (number 1), infra. Respondent is under no obligation to incriminate himself. Respondent has a right to privileged communications with his physician. Respondent has both fundamental privacy and HIPAA (Health Insurance Portability and Accountability Act of 1996) rights not to disclose his medical records to MPPD. Scatchell denies all remaining allegations of this paragraph.

50. Upon information and belief, Ofc. Scatchell has also disobeyed a lawful order by interfering with the production of his medical records.

---

<sup>13</sup> See prior Exhibit

**ANSWER:** Respondent denies that disobeyed a lawful order that he interfered with the production of his medical records. Respondent further denies that the order was lawful.

**COUNT VII - DISOBEYING LAWFUL ORDER RE: TIME OFF TO TRAVEL DURING MEDICAL LEAVE**

51. Director Pitassi and Deputy Chief Castellan refer to and incorporate by reference the allegations in paragraphs 1 -51 above as though fully set forth herein.

**ANSWER:** Respondent re-alleges and incorporates his answers to the allegations of paragraphs 1-50 as his answer to Paragraph 51 as though fully set forth herein.

52. Ofc. Scatchell disobeyed a lawful order by traveling to Washington from December 17-22, 2017.

**ANSWER:** Respondent denies the conclusory allegations contained in this Paragraph.

53. Upon information and belief, Ofc. Scatchell disobeyed a lawful order by traveling to Harlingen, Texas from December 26-30, 2017.

**ANSWER:** Respondent denies the conclusory allegations contained in this Paragraph.

**COUNT VIII - Conduct Unbecoming**

54. Director Pitassi and Deputy Chief Castellan refer to and incorporate by reference the allegations in paragraphs 1-54 above as though fully set forth herein.

**ANSWER:** Respondent repeats and re-alleges the allegations contained in paragraphs 1-53 as his answer to Paragraph 54 as though fully set forth herein.

55. MPPD's Policy Manual Rule

prohibits conduct unbecoming an officer, on- or off-duty when the conduct is "contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members."

**ANSWER:** To the extent the allegations of this Paragraph seek to paraphrase or characterize the MPPD Policy Manual, the document speaks for itself, and Scatchell denies the allegations to the extent that they are inconsistent with that document.

56. Ofc. Scatchell's activities constitute conduct unbecoming an officer, in violation of MPPD's rules.

**ANSWER:** Deny.

**COUNT IX - Violating State Law**

57. Director Pitassi and Deputy Chief Castellan refer to and incorporate by reference the allegations in paragraphs 1-57 above as though fully set forth herein.

**ANSWER:** Respondent re-alleges and incorporates his answers to the allegations of paragraphs 1-56 as his answer to Paragraph 57 as though fully set forth herein.

58. MPPD's Policy Manual Section 340.5.1 requires officers to comply with federal, state, local or administrative laws, rules or regulations.

**ANSWER:** To the extent the allegations of this Paragraph seek to paraphrase or characterize the MPPD Policy Manual, the document speaks for itself, and Scatchell denies the allegations to the extent that they are inconsistent with that document.

59. In assisting Mr. Scavo in possessing and firing a shotgun, Ofc. Scatchell violated state law, rules or regulations, and in violating state law, Ofc. Scatchell violated MPPD rules.

**ANSWER:** Scatchell denies these allegations in their entirety.

**COUNT X - Association with a Known Felon**

60. Director Pitassi and Deputy Chief Castellan refer to and incorporate by reference the allegations in paragraphs 1-60 above as though fully set forth herein.

**ANSWER:** Respondent re-alleges and incorporates his answers to the allegations of paragraphs 1-59 as his answer to Paragraph 60 as though fully set forth herein.

61. MPPD's Policy Manual Rule 340.5.4 prohibits officers from "Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department" and section 1050.2(e) provides "Except as required in the performance of official duties or, in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know ... is a convicted felon ... or who engages in serious violations of state or federal laws."

**ANSWER:** To the extent the allegations of this Paragraph seek to paraphrase or characterize the MPPD Policy Manual, the document speaks for itself, and Scatchell denies the allegations to the extent that they are inconsistent with that document.

62. Ofc. Scatchell's association with Mr. Scavo constitutes a violation of MPPD's rules.

**ANSWER:** The allegation in this Paragraph consists of a legal conclusion to which no response is required. To the extent that a response is deemed required, Respondent has insufficient information to admit or deny the allegations contained in this Paragraph and, therefore, neither admits nor denies the same but demands strict proof thereof.

**COUNT XI - Secondary Employment Without Authorization**

63. Director Pitassi and Deputy Chief Castellan refer to and incorporate by reference the allegations in paragraphs 1-63 above as though fully set forth herein.

**ANSWER:** Respondent re-alleges and incorporates his answers to the allegations of paragraphs 1-62 as his answer to Paragraph 63 as though fully set forth herein.

64. MPPD's Policy Manual Section 1040.2 requires officers to obtain "prior written approval of the Chief of Police" before engaging in outside employment and Section 1040.5 requires further that officers on disability leave or modified/light duty must seek permission for outside employment.

**ANSWER:** To the extent the allegations of this Paragraph seek to paraphrase or characterize the MPPD Policy Manual, the document speaks for itself, and Scatchell denies the allegations to the extent that they are inconsistent with that document.

65. By failing to seek authorization to accept employment as a Guide with I Decoy M Guide Service, Ofc. Scatchell violated MPPD rules.

**ANSWER:** Scatchell denies this allegation in its entirety. This allegation misstates that Scatchell was an employee, which he was not. Therefore, Scatchell denies he would have to seek any authorization. Scatchell further denies that Petitioner is entitled to relief on this purported secondary employment SOP violation or on any other claim in the Statement of Charges.

**COUNT XII - Conduct Unbecoming and Violation of Law**

66. Director Pitassi and Deputy Chief Castellan refer to and incorporate by reference the allegations in paragraphs 1-66 above as though fully set forth herein.

**ANSWER:** Respondent re-alleges and incorporates his answers to the allegations of paragraphs 1-65 as his answer to Paragraph 66 as though fully set forth herein.

67. On or about November 13, 2017, Deputy Chief Castellan received an anonymous report that Ofc. Scatchell "is calling in sick when, in fact, he is not" and that instead, "He is out HUNTING every morning." As a result, MPPD initiated surveillance of Ofc. Scatchell to attempt to determine if there was any validity to the anonymous report. The surveillance was conducted by an experienced police officer and was conducted frequently over the course of the next month.

**ANSWER:** Deny. Anyone filing a complaint against a State Police Officer must have the complaint supported by a sworn affidavit." In accordance with the aforementioned law,

all complaints must contain a complainant signature and notary signature before the MPPD could lawfully investigate the alleged misconduct.<sup>14</sup> To the extent that a response is required, Scatchell has insufficient information to admit or deny the allegations contained in this Paragraph and, therefore, neither admits nor denies the same but demands strict proof thereof.

**Insufficient Knowledge:** As to a complaint\report. As to initiation of surveillance on Respondent, the experience of a person who conducted surveillance; and the frequency of surveillance.

68. During the course of the surveillance, Ofc. Scatchell's vehicle was frequently observed travelling at incredibly high rates of speed, sometimes exceeding 100 mph and frequently ignoring stop signs, including within Melrose Park Village limits.

**ANSWER:** Deny. This allegation is overly broad in that it does not specify where and when and how fast Respondent was driving. This allegation is further denied on the basis that the allegation does not even allege Respondent was the driver of his vehicle at the time in question. Without more information as to dates, times, locations, rates of speed, and other relevant evidence, Scatchell has insufficient information to admit or deny the allegations contained in this Paragraph and, therefore, neither admits nor denies the same but demands strict proof thereof. Respondent further invokes his Fifth Amendment right to remain silent and not incriminate himself.

69. By either driving in the foregoing manner, or allowing another to drive in that manner while he was a passenger, and by identifying himself as an MPPD officer to avoid State Police action, Ofc. Scatchell has violated MPPD Rules.

**ANSWER:** Deny.

**PRAAYER FOR RELIEF BY PETITIONER:** Director Pitassi and Deputy Chief Castellan respectfully request that a hearing be held before the Board of Fire and Police Commissioners of the Village of Melrose Park and that the Board terminate the employment of Officer John Scatchell as a police officer of the Village of Melrose Park. This request is made pursuant to the Board's Rules and Regulations requires further that officers on disability leave or modified/light duty must seek permission for outside employment.

**ANSWER:** Scatchell denies each and every allegation set forth in the prayer for relief. Scatchell denies any allegations as to damage and the amount thereof.

---

<sup>14</sup> Illinois State Police Act, 20 ILCS 2610/14

66. By failing to seek authorization to accept employment as a Guide with I Decoy M Guide Service, Ofc. Scatchell violated MPPD rules.<sup>15</sup>

**ANSWER:** Deny.

**COUNT XII - Conduct Unbecoming and Violation of Law<sup>16</sup>**

67. Director Pitassi and Deputy Chief Castellan refer to and incorporate by reference the allegations in paragraphs 1 - 66 above as though fully set forth herein.

**ANSWER:** Respondent re-alleges and incorporates his answers to the allegations of paragraphs 1-66 as his answer to Paragraph 67 as though fully set forth herein.

68. On or about November 13, 2017, Deputy Chief Castellan received an anonymous report that Ofc. Scatchell "is calling in sick when, in fact, he is not" and that instead, "He is out HUNTING every morning." As a result, MPPD initiated surveillance of Ofc. Scatchell to attempt to determine if there was any validity to the anonymous report. The surveillance was conducted by an experienced police officer and was conducted frequently over the course of the next month.

**ANSWER:** Deny.

69. During the course of the surveillance, Ofc. Scatchell's vehicle was frequently observed travelling at excessively high rates of speed and frequently ignoring traffic signs and signals, including within Melrose Park Village limits.

**ANSWER:** Deny.

70. By either driving in the foregoing manner, or allowing another to drive in that manner while he was a passenger, Ofc. Scatchell has violated MPPD Rules.

**ANSWER:** Deny.

Respondent generally denies the allegations of Petitioner's complaint and demands strict proof thereof.

Respectfully submitted,

---

<sup>15</sup> Petitioner incorrectly numbered the final Count of Petitioner's Complaint, entitled "Conduct Unbecoming and Violation of Law," as COUNT XII. The subject Count should have been sequentially numbered as Count XIII and therefore Respondent has referred to it as XII for the purposes of his Answer to Complaint.

<sup>16</sup> Petitioner incorrectly numbered ¶¶ 66-70. The subject Paragraphs should have been sequentially numbered as 67-71 and therefore Respondent has referred to these Paragraphs as ¶¶ 66-70 for the purposes of his Answer to Complaint.

Respondent, Officer John Scatchell  
By his attorneys Christopher Cooper and Gianna Scatchell  
/s Gianna Scatchell

**JURY DEMAND**

Respondent, Officer Scatchell hereby demands a jury trial for all issues so triable.

**AFFIRMATIVE DEFENSES**

71. Respondent, John Scatchell, refers to and incorporates by reference the preceding paragraphs of their Petition as if fully rewritten herein.
72. Respondent asserts the following affirmative and other defenses without assuming any burden of production or proof that, pursuant to law, belong to Petitioner. Respondent reserves the right to amend his answer and to assert any additional defenses and affirmative defenses as may become available or apparent during the course of this proceeding.

**1<sup>st</sup> Affirmative Defense—Violation of Officer Scatchell's 5<sup>th</sup> Amendment Right to be Free from Incriminating Himself.**

73. Respondent, John Scatchell, refers to and incorporates by reference the preceding paragraphs of their Petition as if fully rewritten herein.
74. Respondent makes no admission of a refusal to sign a medical release. He denies the allegation. Respondent asserts that even in the above captioned proceedings (quasi-judicial in nature), he has a right to invoke his 5<sup>th</sup> Amendment right to remain silent. Client's medical records are in part or in whole, testimonial. In order to be "testimonial," an accused's oral or written communication, or act, must itself, explicitly or implicitly, relate a factual assertion or disclose information. (Cf. *Fisher v. United States*, 425 U.S. 391, 96 S.Ct. 1569, 48 L.Ed.2d 39; *United States v. Doe*, 465 U.S. 605, 104 S.Ct. 1237, 79 L.Ed.2d 552).
75. Based on Petitioner's erroneous allegations of fraud, Respondent "reasonably believes" the disclosure of medical records "could be used in a criminal prosecution or could lead to other evidence that might be so used." Respondent has both a fundamental and HIPAA (Health Insurance Portability and Accountability Act of 1996) right not to disclose his medical records to MPPD.

WHEREFORE, Respondent, John Scatchell requests that Complaint\Statement of Charges\Notice of Discipline be dismissed with prejudice.

**2nd Affirmative Defense: MPPD Deviated from the CBA & Violated Scatchell's Rights**

76. Respondent, John Scatchell, refers to and incorporates by reference the preceding paragraphs of their Petition as if fully rewritten herein.

77. That § 3.5 of the 2014 – 2017 Collective Bargaining Agreement for Lodge 19 outlines the process for reviewing sick claims and states in relevant part:

A Review Board composed of the (1) representation from the Police Department, who shall be designated by the Lodge, one (1) representation of the Village who shall be designated by the Village, and one (1) citizen representation, who shall be chosen jointly by the other two members of the Review Board shall oversee the application of the sick leave policy specified in the foregoing subsection, provided that the Review Board shall not inquire into any particular case until the officer has been on sick leave for at least one (1) month (emphasis added).

78. Officer Scatchell first went on sick leave on or about November 9, 2017.

79. That on or about November 14, 2017, and on information and belief, MPPD begin surveilling Respondent.

80. That on or about November 14, 2017, Respondent had only been on sick leave for four (4) days.

81. That on or about November 14, 2017, Respondent had a regular day off.

82. That on or about December 7, 2017, Officer Scatchell was on his earned vacation.

83. That on December 8, 2017, Officer Scatchell received MPPD's Notice of an Investigation pending against him.

84. That on December 8, 2017, Respondent was on sick leave for approximately 29 days.

85. That MPPD began investigating Officer Scatchell before he had been on sick leave “for at least one (1) month” in violating od the CBA by actively investigating Officer Scatchell.

WHEREFORE, Respondent, John Scatchell requests that Complaint\Statement of Charges\Notice of Discipline be dismissed with prejudice.

**3<sup>rd</sup> Affirmative Defense: The Board is Illegally Constituted**

86. Respondent, John Scatchell, refers to and incorporates by reference the preceding paragraphs of their Petition as if fully rewritten herein.

87. The Board is illegal and illegally constituted. “Where an administrative body acts outside of its specific statutory authority, it acts without jurisdiction, and its actions are void and a nullity from their inception.” *Siddens v. Indust Comm'n*, 711 N.E.2d 18, 22 (1999); *Daniels v. Indus.*

*Comm*, 711 N.E.2d 936, 940 (2002); and, *Taylor v. Dart*, 64 N.E.3d 123, 126-27 (2016). The Board lacks jurisdiction of Officer Scatchell and the above captioned matter.

WHEREFORE, Respondent, John Scatchell requests that Complaint\Statement of Charges\Notice of Discipline be dismissed with prejudice.

**4<sup>th</sup> Affirmative Defense: Petitioner's Statement of Charges Fails to State a Claim upon which Relief may be Granted.**

88. Respondent, John Scatchell, refers to and incorporates by reference the preceding paragraphs of their Petition as if fully rewritten herein.
89. Petitioner's Statement of Charges fails to state a claim upon which relief may be granted because it does not contain enough facts to state a claim to relief that is plausible on its face. Instead, Petitioner's make numerous allegations based on speculation, what the Director or Deputy Chief "believe" which falls below the threshold of stating a claim.

WHEREFORE, Respondent, John Scatchell requests that Complaint\Statement of Charges\Notice of Discipline be dismissed with prejudice.

**5<sup>th</sup> Affirmative Defense—Unclean Hands**

90. Respondent, John Scatchell, refers to and incorporates by reference the preceding paragraphs of their Petition as if fully rewritten herein.
91. The Petitioner's complaint is barred in whole or in part by Petitioner's inequitable conduct which constitutes unclean hands. *Zahl v. Krupa*, 365 Ill. App. 3d 653, 658 (2006)
92. The circumstantial evidence presented fell short of proving wrongdoing on Officer Scatchell's part. In particular, the evidence did not establish that Scatchell acted illegally, immorally, or contrary to the established procedure of the MPPD. The whole area of how to properly deal with sick leave is problematic and the past practices show that the MPPD gave its officers considerable leeway in that area.
93. Further, Petitioner has not given evidence that Scatchell's testimony was unrebutted, and it is clear that superiors of Scatchell were aware of his conduct and did nothing about it from March 24, 1987 until November 12, 1987.
94. We further note that Scatchell had an unblemished record serving as a police officer for over 5 years without any incidents of discipline.

WHEREFORE, Respondent, John Scatchell requests that Complaint\Statement of Charges\Notice of Discipline be dismissed with prejudice.

**6<sup>th</sup> Affirmative Defense: MPPD Violated Scatchell's Rights under the Family Medical Leave Act**

95. Respondent, John Scatchell, refers to and incorporates by reference the preceding paragraphs of their Petition as if fully rewritten herein.

96. Eligible employees seeking to use FMLA leave may be required to provide: (a) 30-day advance notice of the need to take FMLA leave when the need is foreseeable; (b) notice "as soon as practicable" when the need to take FMLA leave is not foreseeable; (c) sufficient information for the employer to understand that the employee needs leave for FMLA-qualifying reasons; and (d) where the employer was not made aware that an employee was absent for FMLA reasons and the employee wants the leave counted as FMLA leave, timely notice (usually within 2 business days of returning to work) that leave was taken for a FMLA-qualifying reason.

97. Petitioner failed to provide proper notice as required by the FMLA. See 29 C.F.R. § 825.304.

98. Petitioner failed to provide paperwork as required by the FMLA when Officer Scatchell returned to work.

99. If Petitioner doubted the veracity of Scatchell's injury, it could have requested a medical certification under the FMLA provide proper notice as required by the FMLA.

100. Petitioner never requested Scatchell to fill out an FMLA medical certification.

WHEREFORE, Respondent, John Scatchell requests that Complaint\Statement of Charges\Notice of Discipline be dismissed with prejudice.

**7<sup>th</sup> Affirmative Defense: Statement of Charges is Barred**

101. Respondent, John Scatchell, refers to and incorporates by reference the preceding paragraphs of their Petition as if fully rewritten herein.

102. The Petitioner's complaint is barred whole because the Petitioner engaged in acts and courses of conduct which rendered it in pari delicto.

WHEREFORE, Respondent, John Scatchell requests that Complaint\Statement of Charges\Notice of Discipline be dismissed with prejudice.

**8<sup>th</sup> Affirmative Defense: Waiver and Laches**

103. Respondent, John Scatchell, refers to and incorporates by reference the preceding paragraphs of their Petition as if fully rewritten herein.

104. The Petitioner's complaint is barred in whole or in part by laches.

105. A defense of waiver is defined as "an intentional relinquishment of a known right."

106. Scatchell never was disciplined in the five years he has been a police officer.

107. Petitioner's disapproval of Scatchell's alleged misconduct did not occur until nearly five (5) years after he began working for the police department. There is no indication in the record that Scatchell was ever informed by his superiors that his conduct was inappropriate— where superiors knew about the conduct for over five years prior to filing a statement of charges; it seems that they acquiesced in and approved of his activities at that time.

108. Those responsible for Scatchell's police work acquiesced in and approved of his relationship with Scavo.

WHEREFORE, Respondent, John Scatchell requests that Complaint\Statement of Charges\Notice of Discipline be dismissed with prejudice.

s\Gianna Scatchell

FRATERNAL ORDER OF POLICE LEGAL DEFENSE PLAN COUNSEL

Law Offices of Gianna Scatchell

360 West Hubbard Street, 1404 Chicago, Illinois 60654

T 312-248-3303 | F 312-801-4438 [gia@lawfirm.gs](mailto:gia@lawfirm.gs)

s\Christopher Cooper, ESQ., Counsel for Respondent

FRATERNAL ORDER OF POLICE LEGAL DEFENSE PLAN COUNSEL

Law Office of Christopher Cooper, Inc.

79 W. Monroe Street, Suite 1213, Chicago, IL 60603 [or]

426 N. Broad St., Griffith, IN 46319

Tel: 312 473 2968 [or] 219 228 4396 | [cooperlaw3234@gmail.com](mailto:cooperlaw3234@gmail.com)

**CERTIFICATE OF SERVICE:** The undersigned certifies that she caused the foregoing to be filed with the Board, through its hearing officer, on May 10, 2018, and that a copy was served by email, on opposing counsel. s\Gianna Scatchell

# **EXHIBIT 36**

**AGREEMENT BETWEEN THE VILLAGE OF MELROSE PARK  
AND**

**THE MICKINZIE-VERTUNO MEMORIAL FRATERNAL ORDER OF POLICE  
LODGE #19**

**PREAMBLE**

This agreement is entered into the Village of Melrose Park, an Illinois Municipal Corporation ("Employer"), and the Mickinzie -Vertuno Memorial Fraternal Order of Police Lodge No. 19 ("Lodge").

**ARTICLE 1 - RECOGNITION AND LODGE SECURITY**

**Section 1.1 – Recognition & Bargaining Unit**

The Employer recognizes the Lodge as the sole and exclusive collective bargaining representative for all sworn police officers, except the Chief and the Deputy Chief, employed by the Employer in its Department of Police.

**Section 1.2 – Maintenance of Membership**

Each officer who is a member of the Lodge on the effective date of this Agreement and each officer who becomes a member after that date shall, as a condition of employment, maintain his/her membership in good standing in the Lodge during the term of this Agreement. The regular and timely payment of dues (dues shall be for contract maintenance not for good standing) and other financial obligations uniformly required of Lodge members shall be sufficient to maintain membership in good standing under this section.

**Section 1.3 – Fair Share Deduction**

With respect to any officer who is not a member of the Lodge on the effective date of this Agreement or on the Thirtieth (30<sup>th</sup>) day of the officer's employment, whichever is later, the Employer shall deduct from the wages of the officer and forward to the Lodge a fair share of the cost of negotiating and administering this Agreement and its successors. The Lodge shall inform the Employer of the amount of the fair share deduction, which shall be uniform for all officers who are not Lodge members, and shall not exceed the amount of dues uniformly required of Lodge members.

**ARTICLE 2 – EMPLOYEE SECURITY**

**Section 2.1 – Just Cause Standard**

No officer covered by this Agreement shall be discharged, suspended, relieved from duty, or disciplined in any manner without just cause.

**Section 2.2 – Performance Evaluations**

Before any supervisor shall submit any individual performance review, he or she shall meet with the officer reviewed and afford an opportunity to inspect the review. The reviewed

officer shall have the further opportunity of indicating his or her written review and placing his or her signature near such box.

### **Section 2.3 – Probationary Officers**

Each officer employed with the Melrose Park Police Department will be on probation for a period of twelve (12) months.

Each officer must establish and thereafter at all times maintain residency three (3) months after completion of their probationary period totaling 15 months.

If an officer terminates he/her employment with the Melrose Park Police Department in order to obtain employment with another police department before that officer reached twenty-four (24) months of employment with the Melrose Park the full cost of the Police Academy incurred by the Village of Melrose Park.

## **ARTICLE 3 – SENIORITY**

### **Section 3.1 – Definition**

Each officer's seniority shall be defined as his or her continuous length of active service as a full time police officer in the Village. "Active service" refers to time actually worked by the officer. Time that is not considered to be "active service" for purposes of seniority calculation includes, but is not limited to, time off work pursuant to Sections 5.2.1(c), (d) and (e) in this Agreement. In the event that more than one officer has an identical cumulative length of service, their seniority shall be determined by their respective lengths of continuous active service as a police officer in the Village or by the hiring eligibility list, whichever is greater (the Lodge and Employer will compile and update the list).

### **Section 3.2 – Application**

Seniority shall determine priority in choosing days off, bidding for voluntary overtime, holiday assignments, personal and vacation days off, and recall from layoff (Officers shall have the right to choose pay or time due especially on call backs or changing their RDO). In the event that non-disciplinary demotions or layoffs, becomes strictly necessary for economic reasons, officers with the least seniority shall be subject to such demotions or layoffs before officers with greater seniority.

## **ARTICLE 4 – GRIEVANCE AND ARBITRATION**

### **Section 4.1 – Grievable Issues**

Any dispute over meaning or application of the terms of this Agreement shall be grievable and shall be subject to binding arbitration as specified in this Article. There shall be no strikes while this Agreement is in effect. Grievable issues are only those issues relevant to the interpretation of this Collective Bargaining Agreement. General Village Employment Policies, Management Rights and S.O.P. are not grievable issues.

### **Section 4.2 – Initiation and Processing of Grievances**

Should any grievable issue arise which has not been resolved by informal means to the satisfaction of all affected parties such as one or more officers, the Lodge, or the Employer, the Lodge or any aggrieved may initiate a grievance by reducing the issue or complaint to writing and specifying the requested relief. At this request of an aggrieved officer who has initiated a

grievance, the Lodge shall provide grievance representation to be adjusted in a manner, which is inconsistent with this Agreement.

#### **Section 4.3 – First Step**

The party initiating a grievance shall first attempt to resolve the issue or dispute with the aggrieved officer's immediate supervisor. If the aggrieved officer's immediate supervisor does not provide a response which is acceptable to the party initiating the grievance within five (5) days of the submission of the grievance to the Employer, the Grievance shall proceed to the second step. In the event that a grievance concerns more than one officer, the party initiating the grievance shall first attempt to resolve the issue or dispute with the lowest ranking officer in the Department with authority over all of the aggrieved officers.

#### **Section 4.4 – Second Step**

In the event that a grievance is not resolved at the first step, it shall be presented to the Chief. If the Chief does not provide a response which is acceptable to the party initiating the grievance within ten (10) days of the presentation of the grievance to the Chief, the Lodge may request that the grievance proceed to binding arbitration.

#### **Section 4.5 – Arbitration**

If the Lodge requests that a grievance be submitted to binding arbitration, the Lodge and the Employer shall attempt to agree upon an arbitrator of their choosing. If the Lodge and the Employer are unable to agree upon the selection of an arbitrator within seven (7) days of the request for binding arbitration, the parties shall request a list of five (5) qualified neutrals from the American Arbitration Association. The parties shall alternatively strike names from said list until only one person remains thereon. The party filing the grievance shall strike the first name. The person so remaining shall arbitrate the dispute according to procedures agreed upon by the Association and the Employer, and where none of the foregoing procedures apply according to the rules of the American Arbitration Association. The Arbitrator shall decide the dispute presented according to this or her interpretation of the meaning or application of the terms of this Agreement to the facts of the grievance presented; and he or she shall issue a written decision and award within forty-five (45) days of the close of the hearing unless the Lodge and the Employer agree to a difference date. The party who does not prevail shall pay the cost of the arbitration.

#### **Section 4.6 – Time Limits**

The time limits set forth in this Article may be extended for reasonable periods only if an aggrieved Officer is unavailable to participate in the grievance process and such participation would materially assist in settlement. Unless mutually agreed upon, no time limit be extended to more than twice that designated by this Agreement.

#### **Section 4.7 – Interpretation of Agreement**

In interpreting and applying this Agreement, the Association, the Employer, and the Arbitrator shall consider the terms of this Agreement in light of past practice of the parties over the duration of their collective bargaining relationship.

### **Section 5.1 – Holidays and Vacations**

Each officer shall receive an annual number of vacation days according to the following schedule:

Length of Service completed:	Number of Vacation Days:
2 years	25 days
5 years	30 days
10 years	35 days
15 years	40 days
20 years	45 days
25 years	48 days

It is agreed that nine (9) of the days specified in each line of the foregoing schedules(s) represent paid legal holidays. It is understood that probationary officers shall receive nine (9) paid holidays, one (1) day for each month of service and five (5) personal days in the prior fiscal year during the probationary period. (Example; Officer A is hired on July 1, 1998 and his probationary year will end in 1999, that officer will be entitled to receive as a vacation pick in 1999, nine (9) holidays plus six (6) days, one for each month of service in the year 1998. It is agreed that each officer will receive these vacation days in the year the anniversary is reached, and will be allowed to pick such vacation, at the time the vacation schedule for that year is posted.)

Vacation days that are not used by the last day of the fiscal year in which they were earned will be forfeited and the officer will not be paid for the unused days.

In the event that the foregoing vacation schedule causes the Village to incur overtime pay due to a shift manpower shortage, the post 1993 employees' vacation schedule section of this Agreement shall be renegotiated. Pre-1993 employees will remain on the above vacation schedule.

### **Section 5.2 – Personal Days**

In addition to the holiday and vacation days specified in the foregoing sections of this Article, each officer shall receive an annual number of personal days off per annum to be taken when the officer chooses provided that the officer submits a prior written request for each personal taken according to the following schedule:

Length of completed service:	Personal Days:
Probationary year	5 days
1 year	6 days
2 years	7 days
3 years	8 days
4 years	9 days
Thereafter	10 days

In addition to all of the foregoing days off, each officer shall receive his/her birthday off as an additional day off.

### Section 5.3 – Sick Leave

(a) Sick Leave Accumulation - On January 1<sup>st</sup> of each year of this Agreement, each officer shall be credited six (6) sick days. Sick days can be taken only to the extent that they are accrued. Sick days will not accrue while an employee is on leave pursuant to the Family and Medical Leave Act ("FMLA"), the Public Employee Disability Act ("PEDA"), Military Leave, Extended Leave, or Long-Term Leave, but will resume upon the officer's return to work on a regular basis. Accrued sick days may be carried over into subsequent year. No more than thirty (30) sick days may be accumulated at any time. Unused sick days will be forfeited, and the bargaining member shall not receive any compensation in any form for forfeited sick days. If at retirement an officer has accumulated thirty (30) sick days, the officer shall be awarded fifteen (15) additional days for a total of forty-five days.

(b) Public Employee Disability Act – A Officer who is placed on sick leave as a result of an injury or illness contracted in the line of duty shall be entitled to full pay for one (1) year pursuant to the terms of the Public Employee Disability Act ("PEDA"), 5 ILCS 345/1 *et seq.*

(c) Extended Leave – An officer who is placed on sick leave as a result of a injury or illness not contracted in the line of duty, except that resulting from an injury or illness incurred in the course of employment outside of the Officer's employment with the Village, may be entitled to leave with full pay for a maximum of **ninety (90) days (three calendar months)** ("Extended Leave"), subject to approval by the Chief of Police, but only after the officer has exhausted all accumulated sick leave, subject to approval by the Chief of Police, but only after the officer has exhausted all accumulated sick leave. After an officer has been on Extended Leave for **ninety (90) days (three calendar months)**, the Village may offer him a light duty work assignment, if available.

(d) Long-Term Leave – In the event that a Officer exhausts his **three-month** leave pursuant to Subsection 5.3(c) above, the Officer may apply for long-term leave, not to exceed six (6) calendar months ("Long-Term Leave"). A Review Board composed of (1) representative from the Police Department, who shall be designated by the Lodge, one (1) representative of the Village who shall be designated by the Village, and one (1) representative of the Fire Department, who shall be designate by the Fire Department ('Review Board'), shall have jurisdiction over applications for Long-Term Leave and shall render a decision whether to grant or deny the application pursuant to any policies and/or procedures adopted by the Review Board with respect to Long-Term Leave applications, provided that the Review Board shall not inquire into any particular case until the officer has been on sick leave for at least **three (3) calendar months**.

(e) Sick Leave Department Order - The use and accumulation of sick days shall be exclusively determined by the Chief of Police in the form of a written Order applicable to all officers governed by this Contract. The Order shall remain in effect until revoked, modified or amended by a subsequent written order of the Chief of Police. Sick days are accumulated at six (6) days per year. Thirty (30) days is the maximum sick days an officer may accumulate

Personal days that are not used by the last day of the fiscal year in which they were earned will be forfeited and the officer will not be paid for the unused days

## ARTICLE 6 – HOURS AND OVERTIME

### **Section 6.1 – Work Day and Work Period**

The normal workday shall consist of eight (8) hours, or if assigned to a 5/2-5/3 work schedule, eight and one half (8.5) hours. The work period shall consist of twenty-eight (28) days. All time worked in excess of the hours worked in the normal workday or the normal work period shall be considered overtime.

All time, outside of an officer's regularly assigned schedule, during which an officer is required to appear in court in connection with his or her duties as a police officer shall be considered court time.

Any officer entitled to overtime or court time shall have the choice, at the officer's discretion, to receive pay or compensatory time.

### **Section 6.2 – Special Compensation**

All court time and overtime shall be compensated at the rate of one and one half (1 1/2) times the rate of pay specified in Article 7 of this Agreement. A minimum of two hours shall be credited as court time for each occasion on which an officer is required to appear in court outside of his or her regularly assigned schedule.

### **Section 6.3 – Compensatory Time**

Court time and overtime may, at each officer's discretion, be taken as compensatory time off at the rate of one and one-half (1 ½) hours for each hour of court time or overtime worked. At no time shall an officer accumulate more than 480 hours of compensatory time. Beginning January 1988, an officer's shift commander shall assign the officer up to one day of compensatory time within a twenty-eight (28) work period in which the officer would otherwise be scheduled to work for more than 171 hours. Effective January 1, 1988, the Employer shall return to the prior scheduling practice under which officers change their shifts on Thursdays.

### **Section 6.4 – Patrol Division Hours Work Schedule**

(a) Effective January 7, 2018, the normal workday for officers assigned to the Patrol Division will consist of an eight and one-half (8.5) consecutive shift.

(b) While the eight and one-half (8.5) hour day is in effect the work schedule rotation for each officer assigned to the Patrol Division will be five (5) working days on, followed by two (2) days off, then five (5) working days on, followed by three (3) days off.

(c) Normal shift hours – The normal shift hours will be as follows:

Midnight shift: 12:00 a.m. until 8:30 a.m.

Day shift: 8:00 a.m. until 4:30 p.m.

Afternoon shift: 4:00 p.m. until 12:30 a.m.

(d) Hourly rate – The parties recognize that with the 8.5 hour, 5/2-5/3 work schedule, employees on average will work less than 2080 hours per year. The parties agree that while the schedule is in effect, employees will not be required to payback hours to reach 2080 annual hours.

#### **Section 6.5 – Shift Scheduling**

Patrol Officers shall be assigned their shifts through bidding by seniority on a yearly basis by November 30<sup>th</sup> of each calendar year. Officers shall be required to submit to the chief of police or his designee their list of shift preferences by listing a First Choice, Second Choice, and Third Choice. If an officer fails to submit such preference list by the deadline, the officer's shift preferences shall be designated by the Chief of Police or his designee. The top nine selections of patrol officers on each shift and the supervisors (Lieutenant/Sergeant) shall be determined by seniority as defined in article 3 of this Agreement. The assignment of the remaining officers to each shift shall be made by the Chief of Police or his designee, without regard to seniority. For such other shift assignments, the Chief of Police or his designee shall consider those officers' preferences and seniority, but such preferences and seniority shall not be controlling. However, no officer shall be assigned to the same shift for more than two (2) consecutive years, if such shift was the officer's "Third Choice" in each of the two (2) prior consecutive years.

Patrol Officers shall be assigned their shifts through bidding by seniority on a yearly basis. The seniority list used to determine the shifts will be compiled by the Lodge and employer as seniority is defined in Article 3 of this Agreement.

### **ARTICLE 7 – WAGES, COMPENSATION AND BENEFITS**

#### **Section 7.1 – Patrolmen**

- (a) Effective January 1, 2018, the basic salary schedule for officers covered by this Agreement shall be reflected in Appendix A, a copy of which is appended hereto and made apart hereof. The basic salary schedule shall be increased and officers covered by this Agreement whose salaries increased as follows: effective January 1, 2018, three (3%) percent; January 1, 2019, two (2%) percent; January 1, 2020, two (2%) percent and January 1, 2021, three (3%).
- (b) New Hires – During the term of this Agreement, the starting pay of new hires shall be forty-four thousand dollars (\$44,000.00) in 2018, forty-five thousand dollars (\$45,000.00) in 2019, forty-six thousand dollars (\$46,000.00) in 2020 and forty-seven thousand dollars (\$47,000.00) in 2021.

#### **Section 7.2 – Senior Ranks**

It is agreed that the per annum schedule for officers above the rank of patrolman (Sergeant and Lieutenant) shall be as reflected in Appendix A attached hereto and made a part hereof, which shall also reflect a salary increase as follows: effective January 1, 2018, three (3%) percent; January 1, 2019, two (2%) percent; January 1, 2020, two (2%) percent and January 1, 2021, three (3%) percent.

### Section 7.3 – Detectives/Tactical Unit

During the stated term of this Agreement, any officer assigned or working as a detective/tactical unit shall receive a stipend of two thousand dollars (\$2,000.00) per annum in addition to the salary due according to the rank and length of service as set forth elsewhere in this Article. The stipend shall be paid separately and not added to the officer's base wages.

### Section 7.4 – Insurance

- (a) Coverage for active officers hired prior to 2003 – The Employer shall provide and, as except as stated herein, pay the full cost of full major medical, hospitalization dental and optical insurance. The Employer shall negotiate with the Lodge over any changes in the insurance plans covering the police officers or in the insurance carriers providing such coverage. No changes in the existing insurance plans shall diminish the coverage provided on the effective date of this agreement, unless upon expiration of no less than two (2) years of this Agreement, the Employer demonstrates that it is financially unable to maintain insurance benefits at their current levels, or the cost of insurance exceeds by 10% or more over the prior year provided, however, that any decrease of insurance costs in prior years shall be credited by 10% of the decrease to offset the following year's increase.
  - i. All emergency room visits, which do not result in admission, shall require a co-pay of \$100.00 for each visit, said co-pay to be charged against the deductible.
  - ii. The applicable deductibles shall not exceed \$250.00 per person or \$500.00 per family.
  - iii. Prescription/drug costs shall be provided per the insurance.
- (b) Coverage for active officers hired after 2003: Officers including probationary officers hired after the effective date of this Agreement shall receive HMO insurance at the Employer's expense. A three percent (3%) of annual wages insurance contribution fee will be taken from all officers.
- (c) Continuing Coverage – If an active officer dies from any cause, his or her spouse and dependents, if any, shall remain covered under the insurance plans specified in subsection (a) of this section pursuant to the terms of, and to the extent required by, the Illinois Public Safety Employee Benefits Act ("PSEBA"), 820 ILCS 320/1 *et seq.*, unless and until the spouse remarries or receives insurance benefits as a result of other employment. If the spouse's new insurance benefits do not cover the officer's dependents, the dependents shall remain covered by the insurance plans specified in the subsection (a) of this section to the extent required by PSEBA.
- (d) Retiree Insurance: Officers who retire with twenty (20) years or more of service who are under the age of sixty-five (65) shall receive the same insurance benefits as active officers hired after 2003 as specified in Section 7.4(c) above, and shall, for each year enrolled in the Village's health insurance under this Section 7.4(d), contribute three percent (3%) of their annual wages as an insurance contribution

fee. The retired officer's "annual wages" for purposes of this Section 7.4(d) shall be calculated using their annual wage as of their date of retirement or the pension amount if the retiree is a pensioner. The retired officer must tender the three percent (3%) contribution to the Village on the date specified by the Village. If a timely payment(s) is not received by the Village, the retired officer may be dropped from the Village's insurance.

If a retired officer dies and his or her spouse is eligible, pursuant to the terms of the plan, to remain on the Village's insurance, then the spouse shall receive the same insurance benefits as active officers hired after 2003 as specified in Section 7.4(c) above. The spouse must tender to the Village, on the date specified above, the three percent (3%) retiree contribution calculated as set forth in this Section 7.4(d) (3% of the deceased retired officer's annual wages at the time of retirement). Failure by the spouse to make a timely payment(s) may result in the spouse being dropped from the Village's insurance.

During any period(s) when the retiree or spouse of a deceased retiree receives insurance benefits as a result of other employment, the retiree or spouse of a deceased retiree shall not be eligible to participate in the Village's insurance plan.

Once the retired officer, the retired officer's spouse, and/or the spouse of a deceased retiree, becomes eligible for Medicare (currently age 65), he or she shall no longer be eligible to participate in the Village's insurance. In lieu of participating in the Village's insurance, he or she shall receive supplemental insurance selected by the Village and paid for by the Village.

The parties agree to reopen this Agreement this agreement upon thirty (30) days' written notice to the other party. Such reopener negotiations shall be limited to the subject of retiree health insurance for retirees age 65 or older, unless the parties agree in writing to add additional subjects. [Prior provisions regarding early retirees shall apply, but be subject to the remaining provisions of this Agreement.]

- (e) Life Insurance – All Police Officers shall receive life insurance in the face value of \$10,000 without cost to the Police Officer, in accordance with the terms and provisions of the policy and the insurance provider. Retirees will receive life insurance with the amount being determined by the insurance carrier.
- (d) Physical Examination – Once each year, every Police Officer shall be entitled to a physical examination by Village's appointed physician at no cost to the Officer.

### **Section 7.5 – Uniform Allowance**

Any officer who is assigned or working as a detective/tactical shall, on the first of June of each year during which this Agreement is in effect, receive \$800.00 as a clothing and cleaning allowance. All uniform officers shall receive an \$800.00 voucher as clothing and cleaning allowance. All uniform officers shall receive an \$800.00 voucher as a clothing allowance at four (4) locations of the Village's choosing. There shall only be one (1) \$800.00 allowance provided hereunder.

### **Section 7.6 – Longevity Pay**

- (a) After the completion of fifteen (15) years of employment (starting the 16<sup>th</sup> year), each officer covered by this Agreement shall receive longevity pay of an additional \$1,000.00 per year added to the officer's salary.
- (b) After completion of twenty (20) years of employment (starting the 21<sup>st</sup> year), each officer covered by this Agreement shall receive longevity pay of an additional \$1,500.00 per year added to the officer's salary.

### **Section 7.7 – Education Voucher Program**

Officers shall receive payment in the amount of five hundred dollars (\$500.00) for each of the officer's children who reside within the Village of Melrose Park and attend a private (non-public) elementary (grades K-8) or secondary (grades 9-12) school for each year the child attends the private school and resides in the Village ("Education Voucher").

In order to receive the Education Voucher payment, the Officer must present the following documentation: (i) in the case of a biological child, a copy of the child's birth certificate listing the officer as a parent; or (ii) in the case of an adopted child, a copy of the child's amended birth certificate listing the officer as a parent; or (iii) in the case of legal guardianship, a certified copy of a court order appointing the officer as the child's legal guardian. The documentation must be submitted on or before September 1<sup>st</sup> of the school year for which the voucher is requested.

The Education Voucher shall be made as a separate payment and not added to the Officer's base wages.

### **Section 7.8 – Fitness Program**

Employees on active payroll with the Village in a position covered by this Agreement shall receive a free membership I.D. card, so that the Employee may use the health and fitness center as well as use of the racquet ball court to improve his or her personal health.

### **Section 7.9 – Mandatory Retirement Age**

Subject to the provisions of any Village Ordinance regarding mandatory retirement age for officers, officers who attain the age of sixty-two (62) shall be retired, on their 62<sup>nd</sup> birthday, from the Police Department, except that an officer who has not achieved thirty (30) pension creditable years of service may remain a member of the Police Department until the date the officer's thirty (30) pension creditable years of service has been obtained.

## **ARTICLE 8 – CREDIT UNION**

Employees on active payroll with the Village in a position covered by this Agreement shall be part of the instrumentation of participation into a credit union that will be chosen by full agreement between the Lodge and the Village.

## **ARTICLE 9 – IMPASSE RESOLUTION**

If an impasse should arise between the Association and the Employer during negotiations over the terms of a successor to this Agreement, the impasse resolution procedures specified in Section 14 of the Illinois Public Labor Relations Act shall apply.

## **ARTICLE 10 - DURATION**

### **Section 10.1 – Term of Agreement**

This Agreement shall be effective from January 1, 2018, and it shall remain in full force and effect until December 31, 2021. Thereafter, this Agreement shall continue in full force and effect from year to year unless either party serves, within (60) days to ninety (90) days prior to the expiration of this Agreement, written notice upon the other party that it desires modification of the terms of this Agreement.

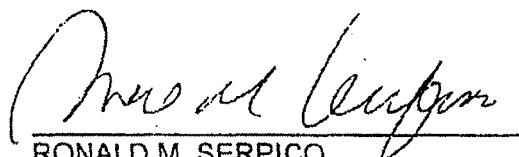
### **Section 10.2 – Savings Clause**

This Agreement shall, where possible, be interpreted by the courts and administrative agencies so as to avoid a finding that any provision hereof is invalid, unenforceable, or unlawful. If any provision or provisions of this Agreement should be declared invalid, unenforceable, or unlawful by any court or administrative agency, the remaining provisions of this Agreement shall remain in full force and effect. In such event, the parties shall, at the request of the other party, promptly meet and bargaining with respect to such modifications of the terms of this Agreement as are necessitated by the invalidity, unenforceability, or unlawfulness of any provision or provisions so declared.

Each person executing this Agreement certifies that he or she is an agent authorized to enter into this Agreement by the Party that each represents. It shall be no defense that a person executing this Agreement was not a duly authorized agent of the Party on whose behalf they have signed this Agreement.

IN WITNESS WHEREOF, the duly authorized representative of the parties has hereunto affixed their signatures this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

FOR THE EMPLOYER:



RONALD M. SERPICO

FOR THE LODGE:



SAM CHIAPPETTA  
as Designee

APPENDIX A

**MELROSE PARK POLICE DEPARTMENT**  
**SALARY INCREASE 2014-2017**

Increases	3%	2%	2%	3%
Rank	January 1, 2018	January 1, 2019	January 1, 2020	January 1, 2021
Starting Pay	\$44,000.00	\$45,000.00	\$46,000.00	\$47,000.00
1 Yr Complete	\$49,992.40	\$50,992.20	\$52,012.00	\$53,572.40
2 Yr Complete	\$59,670.90	\$60,864.30	\$62,081.60	\$63,944.00
3 Yr Complete	\$72,463.10	\$73,912.40	\$75,390.60	\$77,652.30
4 Yr Complete	\$80,221.90	\$81,826.30	\$83,462.80	\$85,966.70
5 Yr Complete	\$88,706.40	\$90,480.50	\$92,290.10	\$94,135.90
PM – 15 Yrs	\$90,630.90	\$92,443.50	\$94,292.40	\$97,121.20
PM ~ 20 Yrs	\$93,633.70	\$95,506.40	\$97,416.50	\$100,339.00
SGT	\$97,618.80	\$99,571.20	\$101,562.60	\$104,609.50
SGT – 15 Yrs	\$99,589.80	\$101,581.60	\$103,613.20	\$106,721.60
SGT – 20 Yrs	\$102,546.10	\$104,597.00	\$106,688.90	\$109,889.60
LT	\$106,531.30	\$108,661.90	\$110,835.10	\$114,160.20
LT – 15 Yrs	\$108,502.20	\$110,672.20	\$112,885.60	\$116,272.20
LT – 20 Yrs	\$111,458.60	\$113,685.80	\$115,959.50	\$119,438.30

Memorandum of Understanding

Between

McKinzie-Vertuno Memorial Fraternal Order of Police Lodge #19

and

Village of Melrose Park, Illinois

January 18, 2018

On Dec. 11th, 2017, a collective bargaining agreement ("CBA") was entered into between the McKinzie-Vertuno Memorial Fraternal Order of Police Lodge #19 ("Lodge" or "Union") and the Village of Melrose Park ("Village") for the period January 1, 2018 through December 31, 2021.

The Union and Village desire to correct a scrivener's error(s) and/or to clarify certain language in the CBA; therefore, the parties enter into this Memorandum of Understanding ("MOU"). The language set forth below shall replace and supersede the language in the enumerated sections or appendices of the CBA. A copy of this MOU shall be attached to the CBA and become a part thereof.

**Section 3.1 – Definition**

Each officer's seniority shall be defined as his or her continuous length of active service as a full time police officer in the Village. "Active service" refers to time actually worked by the officer. Time that is not considered to be "active service" for purposes of seniority calculation includes, but is not limited to, time off work pursuant to Sections 5.3(c), (d) and (e) in this Agreement. In the event that more than one officer has an identical cumulative length of service, their seniority shall be determined by their respective lengths of continuous active service as a police officer in the Village or by the hiring eligibility list, whichever is greater (the Lodge and Employer will compile and update the list).

**Section 6.4 Patrol Division Hours Work Schedule**

(c) Normal shift hours – The normal shift hours will be as follows:

Midnight shift: 12:00 a.m. until 8:30 a.m.

Day shift: 8:00 a.m. until 4:30 p.m.

Afternoon shift: 4:00 p.m. until 12:30 a.m.

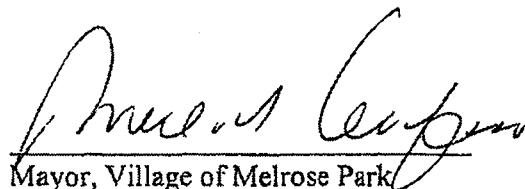
The Chief of Police or the Chief's designee shall have sole discretion and authority to adjust the work shift start and end times within one hour of the above-listed times.

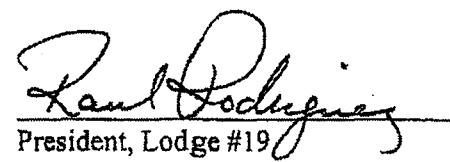
**APPENDIX A**

**MELROSE PARK POLICE DEPARTMENT**  
**SALARY INCREASE 2018-2021**

Increases	3%	2%	2%	3%
Rank	January 1, 2018	January 1, 2019	January 1, 2020	January 1, 2021
Starting Pay	\$44,000.00	\$45,000.00	\$46,000.00	\$47,000.00
1 Yr Complete	\$49,992.40	\$50,992.20	\$52,012.00	\$53,572.40
2 Yr Complete	\$59,670.90	\$60,864.30	\$62,081.60	\$63,944.00
3 Yr Complete	\$72,463.10	\$73,912.40	\$75,390.60	\$77,652.30
4 Yr Complete	\$80,221.90	\$81,826.30	\$83,462.80	\$85,966.70
5 Yr Complete	\$88,706.40	\$90,480.50	\$92,290.10	\$95,058.80
PM - 15 Yrs	\$90,630.90	\$92,443.50	\$94,292.40	\$97,121.20
PM - 20 Yrs	\$93,633.70	\$95,506.40	\$97,416.50	\$100,339.00
SGT	\$97,618.80	\$99,571.20	\$101,562.60	\$104,609.50
SGT - 15 Yrs	\$99,589.80	\$101,581.60	\$103,613.20	\$106,721.60
SGT - 20 Yrs	\$102,546.10	\$104,597.00	\$106,688.90	\$109,889.60
LT	\$106,531.30	\$108,661.90	\$110,835.10	\$114,160.20
LT - 15 Yrs	\$108,502.20	\$110,672.20	\$112,885.60	\$116,272.20
LT - 20 Yrs	\$111,458.60	\$113,685.80	\$115,959.50	\$119,438.30

This Memorandum and Agreement is entered into this 18<sup>th</sup> day of January, 2018.

  
\_\_\_\_\_  
David Lopresti  
Mayor, Village of Melrose Park

  
\_\_\_\_\_  
Paul Rodriguez  
President, Lodge #19

2-26-2018  
Date

01-18-2018  
Date

# **EXHIBIT 37**

**Melrose Park Police Department**  
**SPECIAL ORDER:**  
**OFF-DUTY SECONDARY EMPLOYMENT**

Issuing Authority: **Sam C. Pitassi, Chief of Police** *Chief Sam C. Pitassi*  
Annual Review Date: **October**

**PURPOSE**

The Purpose of this policy is to set forth guidelines to govern off-duty or Secondary Employment by members of the Melrose Park Police Department (the "Department").

**POLICY**

The policy of the Department is to provide guidelines to police employees to inform them of the types of Secondary Employment which are appropriate and to establish procedures to maintain accountability for the welfare of the Department. These requirements are essential for the welfare of the Department and for the protection of the community.

**DEFINITIONS**

- A. **"Collective Bargaining Agreement"**: The current collective bargaining agreement between the Village of Melrose Park and organized labor union representing the various officers and employees of the Village of Melrose Park Police Department.
- B. **"Conflict of Interest"**: Any Secondary Employment duty that is illegal, inconsistent, incompatible with, or in opposition to, the duties, functions, and/or responsibilities of employment with the Department.
- C. **"Employment"**: The provision of a service, whether or not in exchange for a fee or other service, including self-employment. This includes any employment in which another may financially benefit from the employee's work, e.g. a family member or other person receiving compensation for the work of the employee. Employment does not include volunteer charity work.

**Melrose Park Police Department**  
**SPECIAL ORDER:**  
**OFF-DUTY SECONDARY EMPLOYMENT**

**DEFINITIONS (continued)**

D. **"Extra-Duty Employment"**: Any employment that is conditioned on the actual or potential use of law enforcement powers by the off-duty employee.

E. **"Officer"**: Is synonymous with any employee or member of the Department and includes:

- 1) **"Full-Time Officer"**: Any sworn full-time member of the Department
- 2) **"Part-Time Officer"**: Any sworn member of the Department who is not considered full-time by the Department,
- 3) **"Auxiliary Officer"**: Any uniformed member of the Department, who is not an officer or part-time officer, who volunteers their time to the Department except for paid select secondary Employment.
- 4) **"Regular Off-Duty Employment"**: Any employment that will not require use or potential use of law enforcement powers by the off-duty employee.
- 5) **"Secondary Employment"**: Secondary Employment is any employment other than the employee's regular employment with the Department, including both Regular Off-Duty Employment and Extra-Duty Employment.

**DISCUSSION**

A. **General Guidelines**  
The Department has a legitimate interest in regulating its Officer's Secondary Employment. While the Department will not unreasonably restrict off-duty employment, it will require responsibility and accountability to the Department of officers engaged in Secondary Employment.

B. **Applicability of Policy**  
The Department recognizes that there are individuals working for the Department who have other primary jobs and only carry out part-time duties with the Department. Even though these individuals do not need to acquire approval for their primary employment, they may forfeit their positions with the Department, if their employment would not be approved under this policy. These individuals must inform the Chief of Police, in writing, of any employment, or change in employment responsibilities which could be contrary to any aspect of this policy.

**Melrose Park Police Department**  
**SPECIAL ORDER:**  
**OFF-DUTY SECONDARY EMPLOYMENT**

**DISCUSSION (continued)**

**C. Mandatory Approval**

Prior to commencing any Secondary Employment, including self-employment, employees must submit a written request and receive written approval for such employment. All approved requests are subject to periodic review and reconsideration for approval by the Chief of Police.

The employee's request for Regular Off-Duty Employment shall be on the prescribed Secondary Employment Application (Appendix A) and shall include the following information:

- 1) the Secondary Employer's name, address, phone number and type of business;
- 2) A complete narrative of the type of work and duties to be performed;
- 3) Maximum number of days and hours to be worked in any given week;
- 4) Name / phone number of the person who will be their immediate supervisor;
- 5) A complete list of any law enforcement-type equipment the officer must use on the job (e.g., uniform, firearm, handcuffs, personal defense equipment, etc.)
- 6) Secondary Employment Addendum form (Appendix B) will also be completed and accompany employee's Secondary Employment request form.
- 7) Secondary Employment Indemnity Agreement form (Appendix C) must be completed and accompany the employee's Secondary Employment request form.

Employees shall communicate, in writing, within Seven (7) days, of any such change in Secondary Employment status. Such change in status may include, but not limited to, any change in the following: job responsibilities, time or hours of work, days of work, location, employer name or majority interest in employer, any change of information on the Secondary Employment Application. Notwithstanding Any other provision of this agreement, the Chief, in his sole and absolute discretion may revoke or deny secondary employment privileges. Reference Policy 1042 attachment.

**PROCEDURES**

There are two types of Secondary Employment in which an Officer may engage:

- A) **Regular Off-Duty Employment:** Officers may engage in Regular Off-Duty Employment that meets the following criteria:
  - 1) Employment of a non-police nature in which the Officer's vested police powers, (e.g. arrest, detention, interrogation), are not a condition of the Regular Off-Duty Employment; the work provides no real or implied law enforcement service to the secondary employer, and is not performed during the Officer's assigned police duty hours. Officers may be employed as a security guard at locations outside the corporate limits of the Village of Melrose Park.

**Melrose Park Police Department  
SPECIAL ORDER:  
OFF-DUTY SECONDARY EMPLOYMENT**

**PROCEDURES (continued)**

Employment as a security guard at locations within the corporate limits of the Village of Melrose Park shall not be permitted unless pursuant to paragraph B., section entitled "Extra-Duty Employment", located here-in-below.

- 2) Employment that presents no potential Conflict of Interest between their duties as a Department Officer and their duties for the secondary employer. Examples of employment representing a Conflict of interest include, but are Not limited to, the following:
  - a. As a process server, reposessor or bill collector, towing of vehicles within the corporate limits of the Village, or in any other employment in which police authority might tend to be used to collect money or merchandise for private purposes, or imply an official law enforcement or government interest.
  - b. Dressed in an official uniform in the performance of tasks other than that of a police employee, except as otherwise authorized in writing by the Chief of Police or his designee.
  - c. Personnel or private investigations within the corporate limits of the Village or involving any Village employee including an Officer, or any employment which might require the Officer to have access to police information, files, records or services of the Village of Melrose Park Police Department as a condition of employment.
  - d. Assisting in the case preparation for the defense in any criminal court proceeding, provided, however, this shall not prevent an Officer who has his law license from the case preparation for the defense in any criminal court proceeding not involving the Department or within the corporate limits of the Village.
  - e. Providing security for any business or labor group involved in any strike, work stoppage or other job action.
- 3) Employment that does not constitute a threat to the status or dignity of the Village or Police Department. Examples of such employment that do constitute an actual threat to the status or dignity of the municipality or the Department include the following:
  - a) An establishment, which as its principal business sells, distributes, rents, Displays or purchases pornographic books, magazines, sexual devices, or Videos or that otherwise provides entertainment / services of sexual nature;
  - b) Employment involving manufacture/sale/serving of alcoholic beverage.

B. Extra-Duty Employment: Officers may engage in Extra-Duty Employment as follows:

**Melrose Park Police Department  
SPECIAL ORDER:  
OFF-DUTY SECONDARY EMPLOYMENT**

**PROCEDURES (continued)**

- 1) Where a government, profit making or not-for-profit entity has a contractual agreement with the Department for Officers in uniform who are expected to exercise their official police duties.
- 2) The Chief of Police or his designee is responsible for planning, staffing and coordinating all special duty events requiring Extra Duty Employment, provided such planning, staffing or coordinating does not conflict with the Collective Bargaining Agreement. All requests for these types of police services will be forwarded to the Chief of Police or his designee.
- 3) Types of extra-duty services which may be considered for contracting include the following:
  - a. Traffic control and pedestrian safety.
  - b. Crowd control
  - c. Security and protection of life and property
  - d. Routine law enforcement for public authorities; and

**C. Limitations on Regular Off-Duty and Extra-Duty Employment**

1. In order to be eligible for Regular Off-Duty and Extra-Duty Employment, an Officer must be in good standing with the Department. Continued Department approval of a police officer's Regular Off-Duty Employment and Extra-Duty Employment is contingent on an employee continuing to be in good standing with the Department. Disputes concerning the reasonableness of the determination of an officer's good standing shall be subject to the grievance and arbitration procedure of the Collective Bargaining Agreement and Off-Duty Employment and Extra-Duty Employment shall not be restricted until a final determination on the employee's good standing is received.
2. Officers who are on on-duty injury leave shall not be eligible to engage in any Secondary Employment.
3. Officers who are on medical or other leave due to sickness, temporary disability or currently assigned to light-duty assignment shall not be eligible to engage in any Secondary Employment unless approved by the office of the Chief of Police. Such approval shall not be unreasonably denied.
4. An Officer may work a maximum of twenty-four (24) hours of regular off-duty or Extra-Duty Employment per week. Employee's may exceed the twenty-four (24) hours per week only in direct relation to the amount of time in a regularly scheduled forty (40) hour week that an employee is off on authorized leave.
5. Work hours for all Secondary Employment must be scheduled in a manner that does not conflict or interfere with the police employee's performance of regular duty.

**Melrose Park Police Department**  
**SPECIAL ORDER:**  
**OFF-DUTY SECONDARY EMPLOYMENT**

**PROCEDURES (continued)**

**C. Limitations on Regular Off-Duty and Extra-Duty Employment (continued)**

6. An officer engaged in any Secondary Employment is subject to call out in cases of emergency and shall be expected to leave their off-duty or Extra-Duty Employment in such situations when required by the Department.
7. Permission for an Officer to engage in outside employment may be revoked in any case where an employee fails to perform adequately while on duty as a direct result of such outside employment.
8. No Officer shall solicit any person, business, or other entity for Secondary Employment while on duty or while acting in official capacity.
9. Prior to obtaining regular off-duty or Extra-Duty Employment, an employee shall comply with all Departmental procedures for granting approval for such employment.
10. Uniforms, Department-issued equipment, or Village equipment of any kind shall not be used while the employee is in the actual performance of Regular Off-Duty Employment.

**LIABILITY**

In working Regular Off-Duty Employment, the Officer fully understands and agrees to the terms and conditions contained herein. The officer understands that is their sole responsibility to arrange with the Regular Off-Duty Employer for the protection of liability and workers' compensation.

- 1) The Department shall not be responsible for workers' compensation expenses, losses, and/or costs incurred from injuries sustained by the officer in the course of working any Regular Off-Duty Employment.
- 2) The Department shall not be responsible for medical expenses, losses, and/or costs incurred from injuries sustained by the officer in the course of working any Regular Off-Duty Employment except as otherwise required by the parties Collective Bargaining Agreement and by State and Federal law.
- 3) The Department shall not be responsible for any retirement, pension, or other types of expenses, losses, and/or costs incurred from injuries sustained by the officer in the course of working any Regular Off-Duty Employment except as otherwise required by the parties Collective Bargaining Agreement and by State and Federal law.
- 4) The Department shall not be responsible for any third party liability incurred or created by an officer in the course of working any Regular Off-Duty Employment.

**Melrose Park Police Department**  
**SPECIAL ORDER:**  
**OFF-DUTY SECONDARY EMPLOYMENT**

**LIABILITY (continued)**

- 5) The Department shall not be responsible for any expenses, losses, and/or costs incurred for the defense of any criminal prosecution against the officer as a result of any Regular Off-Duty Employment.
- 6) PRIOR TO COMMENCING EMPLOYMENT, THE OFFICER SHALL PROVIDE TO THE CHIEF OF POLICE A COPY OF THE OFF-DUTY EMPLOYERS CERTIFICATE(S) OF GENERAL COMMERCIAL LIABILITY INSURANCE. SAID POLICY SHALL BE IN A MINIMUM AMOUNT OF ONE MILLION AND NO/100 U.S. DOLLARS (\$1,000,000.00). SAID POLICY SHALL: (A) NAME THE VILLAGE, ITS ELECTED OR APPOINTED OFFICIALS, ALL OFFICERS INCLUDING, BUT NOT LIMITED TO, THE PRESIDENT AND BOARD OF TRUSTEES, DIRECTORS, AGENTS, ATTORNEYS AND EMPLOYEES, IT'S PRESENT AND FUTURE INDEPENDENT CONTRACTORS, AGENTS, AND AS ADDITIONAL INSURED; (B) SHALL PROVIDE THAT THE INSURANCE IS PRIMARY TO, AND NOT CONTRIBUTING WITH, ANY POLICY CARRIED BY THE VILLAGE; (C) SHALL PROVIDE BY ENDORSEMENT THAT NO COVERAGE MAY BE CANCELED, TERMINATED OR REDUCED BY THE INSURING COMPANY WITHOUT THE INSURING COMPANY HAVING FIRST GIVEN AT LEAST THIRTY (30) DAYS PRIOR WRITTEN NOTICE VIA CERTIFIED MAIL(S) TO THE CHIEF OF POLICE.
- 7) BY EXECUTING, THE OFFICER ACKNOWLEDGES THAT THE VILLAGE WILL PROVIDE NO PROTECTION OR INDEMNIFICATION FOR INJURIES (TO PERSON OR PROPERTY) OR WRONGFUL DEATH FOR OCCURRENCES OR OMISSIONS RELATED TO THE SECONDARY EMPLOYMENT.

# **EXHIBIT 38**

Policy  
**340**

**Melrose Park Police Department**  
Policy Manual

## **Conduct**

### **340.1 PURPOSE AND SCOPE**

This policy establishes standards of conduct that are consistent with the values and mission of the Melrose Park Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

### **340.2 POLICY**

The continued employment or appointment of every member of the Melrose Park Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

### **340.3 DIRECTIVES AND ORDERS**

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

#### **340.3.1 UNLAWFUL OR CONFLICTING ORDERS**

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

**Melrose Park Police Department**  
Policy Manual

**Conduct**

The person countering the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

**340.3.2 SUPERVISOR RESPONSIBILITIES**

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

**340.4 GENERAL STANDARDS**

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Illinois Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

**340.5 CAUSES FOR DISCIPLINE**

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service.

**340.5.1 LAWS, RULES AND ORDERS**

- (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or Village manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

**Melrose Park Police Department**  
Policy Manual

**Conduct**

**340.5.2 ETHICS**

- (a) Using or disclosing one's status as a member of the Melrose Park Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.

**340.5.3 DISCRIMINATION, OPPRESSION OR FAVORITISM**

Discriminating against, oppressing or providing favoritism to any person because of age, race, color, creed, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, marital status, physical or mental disability, medical condition or other classification protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power or immunity, knowing the conduct is unlawful.

**340.5.4 RELATIONSHIPS**

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- (e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

**Melrose Park Police Department**  
Policy Manual

**Conduct**

**340.5.5 ATTENDANCE**

- (a) Leaving the job to which the member is assigned during duty hours without a reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without a reasonable excuse.

**340.5.6 UNAUTHORIZED ACCESS, DISCLOSURE OR USE**

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained as a result of the member's position with this department.
- (b) Disclosing active or protected investigation information to any unauthorized person.
- (c) The use of any information, photograph, video or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police/Police Administrator or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away or appropriating any Melrose Park Police Department badge, uniform, identification card or department property for personal use, personal gain or any other improper or unauthorized use or purpose.
- (e) Using department resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

**340.5.7 EFFICIENCY**

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failing to provide a visual deterrent to crime by lack of patrol activity, such as standing or parking a patrol vehicle for an inordinate length of time.
- (f) Concealing a marked patrol vehicle from public view without a reasonable and bona fide law enforcement purpose.
- (g) Failure to notify the Department within 24 hours of any change in residence address, contact telephone numbers or marital status.

**Melrose Park Police Department**  
Policy Manual

**Conduct**

---

**340.5.8 PERFORMANCE**

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
  - 1. While on department premises.
  - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
  - 3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
  - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
  - 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by Village policy, the collective bargaining agreement, or the Chief of Police/Police Administrator.
- (h) Engaging in political activities during assigned working hours except as expressly authorized by Village policy, the collective bargaining agreement, or the Chief of Police/Police Administrator.
- (i) Any act on- or off-duty that brings discredit to this department.

**340.5.9 CONDUCT**

- (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest.

**Melrose Park Police Department**  
Policy Manual

**Conduct**

---

- (c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (e) Engaging in horseplay that reasonably could result in injury or property damage.
- (f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the Village.
- (g) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.
- (h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement or contract to include fraud in securing the appointment or hire.
- (l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police/Police Administrator of such action.
- (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

**340.5.10 SAFETY**

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic crash.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable.

## Melrose Park Police Department

### Policy Manual

#### Conduct

##### **340.5.11 INTOXICANTS**

- (a) **Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.**
- (b) **Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance or driving.**
- (c) **Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.**

# **EXHIBIT 39**

Policy  
**1014**

Melrose Park Police Department  
Policy Manual

## Sick Leave Reporting

### 1014.1 PURPOSE AND SCOPE

Employees of this department are provided with a sick leave benefit that gives them continued compensation during times of absence due to personal or family illness. The number of hours available is detailed in the employee's respective personnel manual or applicable collective bargaining agreement (See Appendix). Employees may also be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29CFR 825).

### 1014.2 EMPLOYEE RESPONSIBILITIES

Sick leave may be used for absences caused by illness, injury, temporary disability (including pregnancy/maternity), or for medical, dental or vision exams or medical treatment of the employee or the employee's immediate family when it is not possible to schedule such appointments during non-working hours.

Sick leave is not considered vacation, and abuse of sick leave may result in discipline and/or denial of sick-leave benefits. Employees on sick leave shall not engage in other employment or self-employment, or participate in any sport, hobby, recreational or other activity which may impede recovery from the injury or illness.

Upon return to work, employees shall complete and submit a leave request describing the type of leave used and the specific amount of time taken.

#### 1014.2.1 NOTIFICATION

Employees are required to notify the C.S.O. Desk and their Shift Commander or appropriate supervisor when he or she is on duty or as soon as they are aware that they will not be able to report to work. At a minimum, employees shall make such notification no less than two hours before the start of their scheduled shift. If an employee is unable to contact the supervisor in the case of an emergency, every effort should be made to have a representative contact the supervisor.

When the necessity for leave is foreseeable, such as an expected birth or planned medical treatment, the employee shall, whenever possible, provide the Department with no less than 30-days notice of the intent to take leave.

### 1014.3 EXTENDED ILLNESS

Employees on extended absences shall, if possible, contact their unit supervisor at three-day intervals to provide an update on their absence and expected date of return. Employees absent from duty due to personal illness in excess of three consecutive days may be required to furnish a statement from their health care provider supporting the use of sick leave and/or the ability to return to work.

Nothing in this section precludes a supervisor, with cause, from requiring a physician's statement if three or fewer sick days are taken.

# **EXHIBIT 40**

Gandy

ADMINISTRATIVE NOTICE/WARNING TO OFFICER JOHN SCATCHELL, JR.

RE: INVESTIGATION OF JANUARY 9, 2018

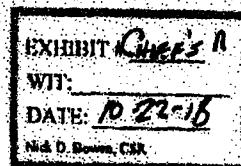
1. We received information that you may have been involved in a situation where a felon was in possession of and used a firearm. We are conducting an investigation into the allegations that were reported to us.
2. You are hereby advised that you are given immunity from criminal prosecution on the basis of your answers to the questions you are asked today. Stated another way, nothing you say in this investigation will be given to any Illinois or federal law enforcement agents or offices.
3. Additionally, nothing that you say during the interrogation today can or will be used against you in any criminal proceeding.
4. ~~This is not to say that the matter will or will not be referred to the appropriate law enforcement officials for investigation and/or prosecution in their discretion. Only that your statements will not be disclosed to them at any time or in any investigation or criminal proceeding.~~
5. Having been given immunity as set forth above, you are hereby warned that because of that immunity, you may not refuse to answer the questions on the ground that the answers may incriminate you. Accordingly, if you refuse to answer the questions, you will be subject to discipline up to and including your dismissal for insubordination for failing to comply with our directive that you answer our questions related to this investigation.

I acknowledge receiving the above notice and warning, and state that I fully understand what it says and means, and that I am not under any mental impairment or disability.

Dated: 1/9/18

John Scatchell, Jr.

Scatchell Dep Ex No. 1  
for ID, as of 1/9/18



4822-0747-1450.v1-1/5/18

CHIEF'S EXHIBIT

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/JJS 2368

# **EXHIBIT 41**

Page 1		Page 3	
STATE OF ILLINOIS )		1	INDEX
) SS:		2	JOHN SCATCHELL EXAMINATION
COUNTY OF COOK )		3	By Mr. Fowler 4
		4	
IN RE THE MATTER OF:		5	EXHIBITS
THE INTERROGATION OF JOHN SCATCHELL,		6	NUMBER MARKED FOR ID
Officer of the Melrose Park		7	Scatchell Exhibit
Police Department.		8	No. 1 4
		9	No. 2 5
THE INTERROGATION OF OFFICER		10	No. 3 11
JOHN SCATCHELL, taken before CORDELIA BUSSE WERT,		11	No. 4 12
a licensed Certified Shorthand Reporter of the		12	No. 5 13
State of Illinois, License No. 84-2985, taken at		13	No. 6 17
the Melrose Park Village Hall, 1000 North 25th		14	No. 7 19
Avenue, Multi-Purpose Room, Melrose Park,		15	No. 8 36
Illinois, on the 9th day of January, 2018, at		16	No. 9 49
1:46 p.m.		17	No. 10 52
		18	No. 11 63
		19	No. 12 70
		20	No. 13 78
		21	No. 14 92
		22	No. 15 94
		23	No. 16 96
		24	No. 17 114
Page 2		Page 4	
1 PRESENT:		1 MR. FOWLER: This is the interview of	
2		2 John Scatchell being conducted pursuant to	
3 LANER MUCHIN, LTD , By:		3 notice and pursuant to the Police Officer	
4 MR. JEFFREY S. FOWLER		4 Disciplinary Act.	
5 515 North State Street, Suite 2800		01:45:58 5 Mark this as Exhibit No. 1,	
6 Chicago, Illinois 60654		6 please.	
7 (312) 467-9800		7 (Scatchell Ex No. 1 was marked as of	
8 jfowler@lanermuchin.com		8 1/9/18.)	
9		9 BY MR. FOWLER:	
10 Appeared on behalf of the Village of		01:46:22 10 Q. Officer Scatchell, prior to starting, I	
11 Melrose Park;		11 had a conversation with your attorney. I had	
12 FRATERNAL ORDER OF POLICE, By:		12 tendered to him a document. He asked for a couple	
13 MR. CHRISTOPHER COOPER		13 of changes on it. I have just marked that	
14 Legal Defense Plan Attorney		14 document as Exhibit 1 and tendered it to you.	
15 LAW OFFICE OF CHRISTOPHER COOPER, INC.		01:46:36 15 Is that your signature on the lower	
16 79 West Monroe Street, Suite 1213		16 right side?	
17 Chicago, Illinois 60603		17 A. Yes, it is.	
18 (312) 473-2968		18 Q. Okay. You understand that you have	
19 cooperlaw3234@gmail.com		19 been instructed – that you are required to answer	
20		20 the questions that we ask you today?	
21		21 A. Yes.	
22		22 Q. Okay. Largely I'm going to go through	
23		23 a chronology of what's happened, but I wanted to	
24		24 do a couple of things first.	

1 (Pages 1 to 4)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/11S 001637

		Page 5			Page 7
1	(Scatchell Ex No. 2 was marked as of 2 1/9/18.)		1	Q. There's one document here that I'm not 2 familiar with and I think it may be pertinent. So 3 give me just a second.	
3	BY MR. FOWLER:		4	What I would like to do is to take out 5 these two pages of what you've brought and mark it 6 so that we'll all have a copy of it (indicating).	
4	Q. I show you what's been marked as 01:47:22 5 Exhibit 2.		7	MR. COOPER: Let me see.	
6	Do you recognize this as a memo that 7 you received on or about December 8, 2017?		8	MR. FOWLER: (Tendering documents.)	
8	A. Yes, I do.		9	MR. COOPER: Well, my intuition tells me that that's not the best approach at this time.	
9	Q. When did you receive this?		10	If you want his medical records --	
01:47:34 10	A. December 8th, I believe.		11	MR. FOWLER: Are you willing for him to sign a release so that we can get all of his medical records?	
11	Q. How did you receive it?		12	MR. COOPER: At some point in time but not today. I mean, you took the words right out of my mouth.	
12	A. Via Department email and then an officer served me at the door, at my front door.		13	MR. FOWLER: But at some point in time --	
13	Q. Who was the officer?		14	MR. COOPER: You can't do it today. But if you want to ask him questions as to this document, first of all, it's my position he can't answer the question because he's not	
14	A. Officer Nocita, Investigator Nocita.		15		
15	Q. Now, when you received the letter, did 16 you read it?		16		
16	A. Yes.		17		
17	Q. Okay.		18		
18	A. I had already read it prior to him.		19		
19	Q. You had read it by email --		20		
20	A. Correct.		21		
21	Q. -- when you received it by email?		22		
22	A. Correct.		23		
23	Q. -- when you received it by email?		24		
24	A. Correct.				
		Page 6			Page 8
1	Q. Then you understood that -- and you 2 understand by this memo that you also have been 3 ordered to answer the questions that I ask you, 4 right?		1	a physician.	
5	A. Correct.		2	MR. FOWLER: Well, he'll be able to 3 answer whatever he can. If he can't answer, 4 then he'll tell me that.	
6	Q. And you're required to answer them 7 truthfully and as accurately as you can?		5	MR. COOPER: I think it's proper for 6 you to ask questions based on the document, I 7 don't see a problem, but I don't think it's 8 proper for these documents to go into 9 evidence. I would object to the document being entered into evidence.	
8	A. Correct.		10	MR. FOWLER: Well, it's not -- well, 11 recognize that this is an investigative 12 proceeding. It's not going into evidence.	
9	Q. The letter asks you to bring documents 01:48:18 10 with you responsive to these issues.		13	Are you willing to give me the 14 document? That's really what I was looking for.	
11	Did you bring any documents with you?		15	MR. COOPER: No. I'm willing to allow 16 you to ask questions from the document today.	
12	A. Yes.		17	Now, whether we call it evidence or material 18 for the purpose of an interrogation, no, I 19 will not allow this document to become part 20 of the record of today's proceedings.	
13	Q. What documents did you bring?		21	However, I will hand you the document and 22 you're welcome to ask questions.	
14	A. Pertinent SOPs, copies of this that you		23		
01:48:32 15	guys sent me, and then various doctor notes 16 (indicating).		24		
17	MR. FOWLER: Chris, do you mind if I 18 come around to see them instead of handing 19 them to me?				
20	MR. COOPER: Well, if you understand 21 what these are, we can hand them to you.				
22	BY MR. FOWLER:				
23	Q. Let me see what they are.				
24	A. (Tendering folder.)				

2 (Pages 5 to 8)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/JJS 001638

	Page 9	Page 11
	<p>1 MR. FOWLER: Okay.</p> <p>2 BY MR. FOWLER:</p> <p>3 Q. So, Officer Scatchell, do you</p> <p>4 understand that the letter that I've handed you</p> <p>01:53:14 5 marked as Exhibit 2, the second page, the third</p> <p>6 paragraph, says: You're ordered to bring and</p> <p>7 present any relevant evidence, documents, photos,</p> <p>8 materials or recordings with you to this meeting</p> <p>9 so that such information, if appropriate and</p> <p>01:53:28 10 relevant, can be considered as part of the</p> <p>11 investigation, including, but not limited to, your</p> <p>12 medical records relating to your medical leave</p> <p>13 since November 9, 2017, and your recreational</p> <p>14 activities during the period that you've been on</p> <p>01:53:42 15 leave since November 9, 2017, and your</p> <p>16 participation or involvement in potential illegal</p> <p>17 activities by a known felon on or about November</p> <p>18 20, 2017, and your contact with any other law</p> <p>19 enforcement agencies that may lead to criminal</p> <p>01:53:58 20 prosecution on or about November 20, 2017; you</p> <p>21 understood that in the letter?</p> <p>22 A. Correct.</p> <p>23 Q. And in light of that instruction, the</p> <p>24 only documents that you brought are those that</p>	<p>1 MR. FOWLER: Mark this one, please.</p> <p>2 (Scatchell Ex No. 3 was marked as of</p> <p>3 1/9/18.)</p> <p>4 BY MR. FOWLER:</p> <p>01:55:26 5 Q. Showing you what's been marked as</p> <p>6 Exhibit 3, did you receive this letter?</p> <p>7 A. Yes, I did.</p> <p>8 Q. When did you receive it?</p> <p>9 A. On or about the 20th of December.</p> <p>01:55:36 10 Q. How did you receive it?</p> <p>11 A. Email and also served at the front</p> <p>12 door.</p> <p>13 Q. By whom?</p> <p>14 A. Detective Gvist.</p> <p>01:55:46 15 Q. And when you received it, you read it?</p> <p>16 A. Yes.</p> <p>17 Q. And you understood by this letter,</p> <p>18 you're also instructed to answer the questions</p> <p>19 that I ask you today truthfully and accurately?</p> <p>01:55:56 20 A. Yes.</p> <p>21 Q. Do you have any medical or</p> <p>22 psychological condition that makes you incapable</p> <p>23 of participating in this interview today?</p> <p>24 A. Not to my knowledge.</p>
	Page 10	Page 12
	<p>1 you've tendered to me today?</p> <p>2 A. Correct.</p> <p>3 Q. But you're not willing to provide me</p> <p>4 with copies of or allow me to keep the documents</p> <p>01:54:22 5 that you've tendered today?</p> <p>6 MR. COOPER: I, as an attorney, advise</p> <p>7 you that -- and he's here listening to me,</p> <p>8 that it's my recommendation as his attorney</p> <p>9 that he disallow you from copying any of the</p> <p>01:54:38 10 documents in that packet today. And if you</p> <p>11 want those documents, it's necessary that the</p> <p>12 Village follow the proper procedure which</p> <p>13 would be, one, to obtain a release, and he</p> <p>14 will sign a release.</p> <p>01:54:54 15 MR. FOWLER: Okay.</p> <p>16 BY MR. FOWLER:</p> <p>17 Q. So my question is: Since this is the</p> <p>18 interview of you today --</p> <p>19 A. Right.</p> <p>01:55:02 20 Q. -- are you going to follow Mr. Cooper's</p> <p>21 advice and not allow me to have these documents or</p> <p>22 copies of these documents today?</p> <p>23 A. Yes, I am. I'm following my attorney's</p> <p>24 advice.</p>	<p>1 Q. Are there any physical limitations that</p> <p>2 we need to accommodate for you today?</p> <p>3 A. I'm comfortable.</p> <p>4 Q. If at any time in the process you</p> <p>01:56:18 5 determine that you are uncomfortable, will you let</p> <p>6 me know that?</p> <p>7 A. I will.</p> <p>8 Q. When did you become employed by the</p> <p>9 Village of Melrose Park Police Department?</p> <p>01:56:32 10 A. 2012.</p> <p>11 Q. When you became employed by the</p> <p>12 Village, you became aware that the Village had</p> <p>13 standard operating procedures?</p> <p>14 A. Yes.</p> <p>01:56:42 15 Q. How did you become aware of that?</p> <p>16 A. They gave me a written copy of it which</p> <p>17 I signed.</p> <p>18 (Scatchell Ex No. 4 was marked as of</p> <p>19 1/9/18.)</p> <p>01:57:04 20 BY MR. FOWLER:</p> <p>21 Q. Showing you what's been marked as</p> <p>22 Exhibit 4, do you recognize that?</p> <p>23 A. Yes, I do.</p> <p>24 Q. What is it?</p>

3 (Pages 9 to 12)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMB/JLIS 001620

		Page 13	Page 15
1	A. It's a standard operating procedure	1	felons?
2	form which I signed off on.	2	A. I'm not aware of that.
3	Q. And that's your signature on the	3	Q. Okay. You're aware that you're
4	document?	4	required to be truthful during investigations?
01:57:16 5	A. Yes, it is -- well, actually there's no	01:58:56 5	A. Yes.
6	signature, just my name.	6	Q. Any reason to believe that any of the
7	Q. Okay. You put your name there?	7	rules that I just mentioned that you said you were
8	A. Yes.	8	aware of do not apply to you?
9	Q. And you received this in or about	9	A. Well, you stated that it says felons,
01:57:24 10	September of 2012?	10	and the verbiage in the SOP says persons who
11	A. Yes.	11	exhibit a recurring pattern of violating state and
12	(Scatchell Ex No. 5 was marked as of	12	federal laws. It does not say felons.
13	1/9/18.)	13	Q. Okay. The question that I asked you,
14	BY MR. FOWLER:	14	though, was: With respect to the policies that
01:57:42 15	Q. Showing you what's been marked as	15	you said you were aware of --
16	Exhibit No. 5, what is that?	16	A. Uh-huh.
17	A. A Melrose Park employee acknowledgement	17	Q. -- do you have any reason to believe
18	form.	18	that those policies do not apply to you?
19	Q. Is that your name on the document?	19	A. No, I don't.
01:57:52 20	A. Yes, it is.	20	Q. You started in 2012, and at some
21	Q. Is that your signature on the document?	21	point within a short time after that, you were
22	A. Yes, it is.	22	injured at work?
23	Q. Did you sign this on or about August	23	A. Yes.
24	31, 2012?	24	Q. What was that injury?
		Page 14	Page 16
1	A. Yes.	1	A. Well, which -- I'm not sure which
2	Q. And by signing this document, were you	2	injury you're --
3	acknowledging that you had received a copy of the	3	Q. The first injury you had.
4	Melrose Park employee procedures?	4	A. On the job?
01:58:10 5	A. Yes.	5	Q. Yes.
6	Q. You're aware that the Village of	6	A. That would have been, I believe,
7	Melrose Park has procedures relating to reporting	7	February of 2014.
8	injuries when they occur?	8	Q. Tell us about that injury.
9	A. Yes.	9	A. I got in a physical altercation with a
01:58:18 10	Q. And you're aware that Melrose Park has	10	subject who was mentally unstable at Gottlieb
11	procedures relating to obtaining permission for	11	Hospital. He was told not to enter the building
12	secondary employment?	12	and he proceeded to try to enter the building
13	A. Yes.	13	after making physical and verbal threats to
14	Q. You're aware that there are procedures	14	nurses. So myself and my partner performed a
01:58:30 15	regarding restrictions during the use of sick	15	take-down of him.
16	time?	16	At that time I did not feel anything,
17	A. Yes.	17	but several hours later, my back and neck area
18	Q. You're aware of procedures requiring	18	were throbbing. Then I notified at the time
19	you to report contact with law enforcement?	19	Lieutenant Rogowski the follow day, I believe, and
01:58:40 20	A. Yes.	20	I told him the following day I couldn't move. I
21	Q. You're aware that there's ethics rules?	21	had severe restriction of my neck and severe pain.
22	A. Yes.	22	Then at that time I notified my superior officer
23	Q. You're aware that there's rules	23	which would have been Lieutenant Rogowski, not
24	restricting or prohibiting associating with	24	deputy chief.

4 (Pages 13 to 16)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/JJS 001640

		Page 17			Page 19
1	Q.	I think you said that that was February	1	Q.	Do you remember which doctor it was?
2		of 2014?	2	A.	I saw Nurse Practitioner Paulette
3	A.	Yes, I believe it was.	3	Feiereisel. As per the HMO, you have to see a	nurse practitioner first. Then I saw Dr. Sandoval
4	Q.	Could it have been 2015?	4	who's my primary care physician.	
02:01:02	5	A. It could have been, yes.	02:04:14	5	(Scratchell Ex No. 7 was marked as of
6	Q.	Okay.	6	1/9/18.)	
7		(Scratchell Ex No. 6 was marked as of	7		
8		1/9/18.)	8	BY MR. FOWLER:	
9		BY MR. FOWLER:	9	Q.	Showing you what's been marked as
02:02:38	10	Q. I'm now handing you what's been marked	02:04:50	10	Exhibit 7, this is a group exhibit with a bunch of
11		as Exhibit 6.	11		different pages, and I want to go through them one
12		Do you recognize this form?	12		at a time.
13	A.	I recognize it from recent.	13	A.	Okay.
14	Q.	Is this the employer's first report of	14	Q.	The first pages, that's -- there's a
02:02:56	15	injury concerning the injury that you just talked	02:05:00	15	note dated February 15th from Paulette Feiereisel,
16		about?	16		NP. That's the nurse practitioner you just
17	A.	Yes.	17		referred to?
18	Q.	This shows a date of report of 2/6 of	18	A.	February 5th.
19		2015. Does your refresh your recollection as to	19	MR. COOPER:	February 5th.
02:03:06	20	when that injury occurred?	02:05:10	20	BY MR. FOWLER:
21	A.	That seems correct, yes.	21	Q.	Okay. That's the nurse practitioner
22	Q.	Okay. So rather than '14, it was '15?	22		you just referred to?
23	A.	Correct.	23	A.	Yes.
24	Q.	Now, you were telling us that as a	24	Q.	You obtained this note and submitted it
		Page 18			Page 20
1		result of that incident, you were injured. How	1		to your supervisor?
2		were you injured?	2	A.	Yes, I did.
3		A. I sustained injuries to my neck and	3	Q.	The next page that's marked 110 on the
4		back region. I'm not entirely sure how I was	4		bottom, can you tell me what that is, please?
02:03:26	5	injured because I'm not a doctor, but I know that	02:05:28	5	A. This is a To/From from myself to Chief
6		at some point during the proceedings with the	6		Pitassi in short explaining the incident, not with
7		subject that we encountered was when I sustained	7		all details but with pertinent details.
8		an injury because I felt perfectly fine before and	8	Q.	And is that your signature?
9		then slightly thereafter is when I felt pain.	9	A.	It is.
02:03:40	10	Then the following day, I had severe pain and loss	02:05:42	10	Q. The next page that's on the bottom
11		of motion.	11		right marked 111, what is that?
12	Q.	As a result of that injury, you	12	A.	Another note from Nurse Practitioner
13		reported it to the Department, your supervisor?	13		Feiereisel.
14	A.	Yes, I did.	14	Q.	You obtained this on or about February
02:03:48	15	Q. Who did you report it to?	15	A.	9, 2015?
16	A.	Lieutenant Rogowski.	16	A.	Yes.
17	Q.	And you then sought medical treatment?	17	Q.	You submitted it to your supervisor
18	A.	Yes, I did.	18		around then?
19	Q.	And the doctor put you off work for a	19	A.	Yes.
02:03:58	20	while?	02:05:58	20	Q. The next page marked 112, can you tell
21	A.	Yes, she did.	21		me what this one is?
22	Q.	You then went back and saw the doctor	22	A.	Another note from Nurse Practitioner
23		several different times?	23		Feiereisel.
24	A.	Yes.	24	Q.	Dated February 12, 2015?

5 (Pages 17 to 20)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/LIS 001611

	Page 21		Page 23
1	A. Yes.	1	on or about that date?
2	Q. And you obtained this on or about	2	A. Yes.
3	February 12th?	3	Q. And that was to Lieutenant Rogowski?
4	A. Yes.	4	A. Yes.
02:06:14	5 Q. Submitted it to your supervisor on or	02:07:30	5 Q. The next page is marked 116 on the
6	about February 12th?	6	bottom. Can you tell me what that is?
7	A. Yes.	7	A. Another note from Nurse Practitioner
8	Q. That was to Lieutenant Rogowski?	8	Feiereisel.
9	A. Yes.	9	Q. And that's dated March 9, 2015?
02:06:20	10 Q. The next page, tell us what that is,	02:07:42	10 A. Yes.
11	please.	11	Q. You obtained it on or about March 9,
12	A. Another note from Nurse Practitioner	12	2015?
13	Feiereisel dated February 17th.	13	A. Yes.
14	Q. This is the page that's marked 113 on	14	Q. When you obtained it, did you provide
02:06:32	15 the bottom, right?	02:07:48	15 it to your supervisor?
16	A. Yes.	16	A. Yes.
17	Q. Dated February 17, 2015?	17	Q. That was to Lieutenant Rogowski?
18	A. Yes.	18	A. Yes.
19	Q. You obtained this on or about February	19	Q. The next page is marked 117 on the
02:06:38	20 17, 2015?	02:07:54	20 bottom.
21	A. Yes.	21	A. Okay.
22	Q. And when you obtained it, did you	22	Q. And it shows a date of March 23, 2015,
23	provide it to your supervisor?	23	correct?
24	A. Yes.	24	A. Yes.
	Page 22		Page 24
1	Q. And that was to Lieutenant Rogowski?	1	Q. Did you obtain this on or about March
2	A. Yes.	2	23, 2015?
3	Q. The next page dated February 20, 2015,	3	A. Yes.
4	marked 114 on the bottom, can you tell me what	4	Q. When you obtained it, did you provide
02:06:54	5 this is?	02:08:06	5 it to your supervisor?
6	A. Another note from Nurse Practitioner	6	A. Yes.
7	Feiereisel.	7	Q. And that was to Lieutenant Rogowski?
8	Q. You obtained this on or about February	8	A. Yes.
9	20, 2015?	9	Q. The last page in this set is marked
02:07:02	10 A. Yes.	02:08:16	10 118. Do you see that?
11	Q. And when you obtained it, you provided	11	A. Yes.
12	it to your supervisor on or about that date?	12	Q. It's dated April 2, 2015?
13	A. Yes.	13	A. Yes.
14	Q. The next page marked 115 on the bottom,	14	Q. Can you tell us what this page is?
02:07:12	15 can you tell us what this page is, please?	02:08:22	15 A. Another note from Nurse Practitioner
16	A. Another note from Nurse Practitioner	16	Feiereisel.
17	Feiereisel.	17	Q. And when you obtained this, you
18	Q. This is dated March 2nd of 2015,	18	provided it to you supervisor?
19	correct?	19	A. Yes.
02:07:20	20 A. Yes.	02:08:30	20 Q. To Lieutenant Rogowski?
21	Q. You obtained this on or about March 2,	21	A. Yes.
22	2015?	22	Q. Okay. This note says: Starting April
23	A. Yes.	23	4th, John can return to work light duty for four
24	Q. Did you provide it to your supervisor	24	hours a day for one week.

6 (Pages 21 to 24)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/LIS 001612

	Page 25		Page 27
	1        The "John" refers to you, right?	1        have an FOP, but yes.	
	2        A. Yes.	2        Q. Okay. So sergeant, lieutenant, deputy	
	3        Q. Then six hours a day for one week and	3        chief, and the director of police; is that the	
02:08:46	4        then eight hours a day for one week. He may	4        chain?	
	5        return to full unrestricted duty April 24, 2015,	02:10:50    5        A. Correct. At that time it would have	
	6        right?	6        been chief of police.	
	7        A. Yes.	7        Q. Okay. So who have been your sergeants	
	8        Q. I read that correctly?	8        since April of 2015?	
	9        A. Yes.	9        A. Let's see. I had Sergeant Rieger, he's	
02:08:52	10      Q. Did you return to full unrestricted	10      now a lieutenant; Sergeant Schillinger, he's the	
	11      duty on or about April 24, 2015?	11      most recent one. As far as sergeants, that's the	
	12      A. I believe I did.	12      extent of who I can remember.	
	13      Q. The injury itself, you said that it was	13      Q. Who have been your lieutenants since	
	14      to your neck and back?	14      April of 2015?	
02:09:02	15      A. Correct.	02:11:26    15      A. Rieger, Rogowski, Maiello, DiMaio.	
	16      Q. What part of your neck and back?	16      Q. How do you spell Maiello?	
	17      A. I'm not a doctor, but it was to my	17      A. M-A-I-E-L-L-O.	
	18      upper back and lower neck.	18      Q. You said DiMaio?	
	19      Q. What was your understanding of the	19      A. Yes.	
02:09:10	20      nature of the injury?	02:11:38    20      Q. How do spell that?	
	21      A. Can you quantify that?	21      A. D-E-M-A-I-O, I believe.	
	22      Q. What did the doctors tell you?	22      Q. Okay. Anybody else?	
	23      A. They told me that I had a partially	23      A. That's all I can recall.	
	24      bulging disc in one of my discs, I'm not sure	24      Q. Okay.	
	Page 26		Page 28
	1        which disc; I had spinal stenosis; and several	1        A. I'm sorry. And Sergeant Lavalais for a	
	2        other words that I don't know what they mean or	2        brief period of time.	
	3        what they are.	3        Q. And the deputy chiefs have been who?	
	4        Q. And that's what they told you at the	4        A. Castellan and Rogowski.	
02:09:32	5        time?	02:12:00    5        Q. And either chief or director of police?	
	6        A. Yes.	6        A. Pitassi.	
	7        Q. Did you see anyone other than the nurse	7        Q. You said you returned to work full	
	8        practitioner in early 2015?	8        unrestricted duty on or about April 24, 2015,	
	9        A. I believe I did.	9        right?	
02:09:38	10      Q. Who did you see?	02:12:20    10      A. Yes.	
	11      A. An MRI doctor, x-ray doctor,	11      Q. Starting on April 25th of 2015, tell me	
	12      specialist. I'm not sure of names or any of that.	12      every conversation or communication you've had	
	13      That would be in my medical record.	13      with Sergeant Rieger relating to your neck or	
	14      Q. After April 2, 2015, what was the next	14      back.	
02:10:22	15      communication you had with anyone with the Melrose	02:12:36    15      A. I don't recall ever having any	
	16      Park Police Department management?	16      conversation with any supervisor after I furnished	
	17      And let me be clear on this: You're a	17      that note.	
	18      patrol officer, right?	18      Q. Ever?	
	19      A. Yes.	19      A. Maybe in unrelated talk, like not in a	
02:10:36	20      Q. You have a sergeant?	20      capacity of officer to supervisor, maybe in a	
	21      A. Sergeant, lieutenant.	21      friendly basis. But as far as anything official,	
	22      Q. The sergeant is a member of the union,	22      the last document that I furnished would be this	
	23      right?	23      and that was the last official conversation I had	
	24      A. Yes – well, we don't have a union. We	24      with anybody.	

7 (Pages 25 to 28)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/ LIS 001642

	Page 29		Page 31
	1 Q. Okay. And then includes up 2 through 2017? 3 A. To my recollection right now, yes. 4 Q. So you're saying up through today, the 02:13:10 5 last conversation you had with any supervisor or 6 manager at the Department in any kind of formal 7 sense was April -- 8 A. Regarding that injury? 9 Q. Regarding your neck or back. 02:13:22 10 MR. COOPER: Which injury? 11 BY THE WITNESS: 12 A. You're rolling all the injuries into 13 one. 14 BY MR. FOWLER: 02:13:26 15 Q. Okay. That's what I'm trying to figure 16 out. 17 A. Okay. 18 Q. The neck or back injury that you had in 19 February of 2015 -- 02:13:34 20 A. Uh-huh. 21 Q. -- that's what we've been talking 22 about, right? 23 A. Yes. 24 Q. So --		1 A. I wouldn't say that's fair. I -- 2 MR. COOPER: Wait. 3 BY MR. FOWLER: 4 Q. What is the next occasion then that you 02:14:56 5 had any communications with a supervisor at the 6 Department about your neck or back injury? 7 A. Around, I would say -- well, let me 8 see. Can I take a look at this? 9 Q. Sure. 02:15:12 10 MR. COOPER: Let the record reflect my 11 client is looking at his notes that he 12 brought with him, or documents. 13 BY THE WITNESS: 14 A. I believe the last conversation I had 02:15:30 15 regarding any kind -- or the first conversation I 16 had, I should say, regarding any kind of new 17 injury or recurring injury from the past would 18 have been in the range of late October/early 19 November while I was still on vacation, approved 02:15:46 20 vacation. 21 BY MR. FOWLER: 22 Q. Of 2017? 23 A. Yes. 24 Q. How did that conversation take place?
	Page 30		Page 32
	1 A. Relating to that, the last official 2 conversation I had was when I furnished this note 3 to I believe then Lieutenant Rogowski. 4 Q. Okay. So I want to focus a minute on 02:13:50 5 your use of the term "official conversation." 6 A. Okay. 7 Q. Other than official conversations, as 8 you sit here today, do you recall any unofficial 9 conversations with any manager or supervisor about 02:14:00 10 the injuries that's noted in Exhibit 6? 11 A. I don't recall ever discussing it with 12 anybody, it could have occurred, but at this time, 13 I don't recall. 14 Q. Fair enough. 02:14:14 15 After April 24, 2015, were you ever 16 injured again on the job? 17 A. On the job? Well, my belief is that 18 the current injury stems from this injury. But as 19 far as something that was reported during my 02:14:36 20 eight-hour shift, no. 21 Q. Since April 24, 2015, you have not 22 reported any injury that was work related to your 23 managers or supervisors at the Police Department; 24 is that fair?	1 A. I spoke with Lieutenant Maiello on the 2 phone and notified him that I was experiencing 3 severe discomfort in my neck, severe pain, very 4 similar to what I went through in 2015. 02:16:06 5 Q. Anybody else on the line? 6 A. Nobody else was on the line. There was 7 someone else present, but I don't think that's 8 relevant. 9 Q. You said the conversation took place on 02:16:16 10 the phone. Who called who? 11 A. I called Lieutenant Maiello to notify 12 him. 13 Q. Do you remember what date that was? 14 A. I do not. 02:16:24 15 Q. During that conversation, you said that 16 somebody else was present in the same location you 17 were? 18 A. Yes. 19 Q. Who was that person? 02:16:30 20 A. Officer Menolascino. 21 Q. How do you spell the name? 22 A. M-E-N-O-L-A-S-C-I-N-O. 23 Q. Where were you when the conversation 24 took place?	

8 (Pages 29 to 32)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/JJS 001644

	Page 33	Page 35
	<p>1        A. Driver's seat of my car, my truck.</p> <p>2        Q. So you were on your cell phone?</p> <p>3        A. No. I was on Bluetooth, over the speaker.</p> <p>02:16:48 5        Q. Using your cell phone?</p> <p>6        A. Yes, hands-free.</p> <p>7        Q. So if you were Bluetooth on the speaker, then Officer Menolascino heard not only your part of the conversation, but he could also hear what Lieutenant Maiello was saying as well, right?</p> <p>12       A. Yes.</p> <p>13       Q. Okay. So you recall – you said that that conversation took place late October/early November?</p> <p>16       A. Somewhere in there. I'm not sure of the exact date.</p> <p>18       Q. What was it that caused you to make that phone call?</p> <p>02:17:18 20       A. I wanted to notify Lieutenant Maiello that I was experiencing an injury and I'm going to followup with a doctor, and the capacity that Officer Menolascino was involved was we were together and he also wanted to speak to Lieutenant</p>	<p>1        when you hear something -- or something along those lines -- just followup with me, good luck with the doctor, something along those lines.</p> <p>4        Q. Anything else?</p> <p>02:18:38 5        A. Not that I can recall at this time.</p> <p>6        Q. As of the time of that conversation, how long had you been on vacation?</p> <p>8        A. Maybe a week and a half, two weeks.</p> <p>9        I'm not entirely sure.</p> <p>02:18:52 10       Q. During that week and a half or immediately prior to you feeling that -- let me ask it differently.</p> <p>13       When you felt the pain, how long was it before you called Lieutenant Maiello?</p> <p>02:19:02 15       A. Two, three days, maybe.</p> <p>16       Q. In the period of time before when that pain started, was there any physical activity that you engaged in that you attribute as a basis to the injury?</p> <p>02:19:16 20       A. No.</p> <p>21       Q. When was it that you first noticed feeling the pain?</p> <p>23       A. I was actually working a side job at Cinemark with another lieutenant who was off-duty.</p>
	Page 34	Page 36
	<p>1        Maiello about something unrelated. So he was present for the conversation and I was fine with him hearing our conversation.</p> <p>4        Q. During that conversation, tell me – and you're saying that whatever Officer Menolascino was talking about is unrelated to you?</p> <p>7        A. Correct.</p> <p>8        Q. Okay. So I don't want to hear about that part. What I want to hear about is you.</p> <p>02:17:56 10       A. Uh-huh.</p> <p>11       Q. With respect to you, tell me everything that you said and everything that Lieutenant Maiello said in that conversation.</p> <p>14       A. Well, some time has elapsed. We can agree on that. So I wouldn't be able to tell you exactly what was said.</p> <p>17       I can paraphrase which was basically: Hey, Lou, how are you? I just wanted to let you know that I'm experiencing – what I told him which was I have severe discomfort in my neck, severe pain, and I'm going to followup with a doctor.</p> <p>02:18:06 15       Q. Did you say anything else?</p> <p>23       A. He said: Okay. And he says: Just</p>	<p>1        at the time, Lieutenant Urso, and I had mentioned to him that I feel some discomfort in my neck. I don't know why. I mean, I haven't done anything I just mentioned that to him in casual conversation, very similar to the injury in 2015: Discomfort, sleep, wake up the next day, severe pain, severe discomfort.</p> <p>8        Q. Okay. Then how long was it before you went to see a doctor?</p> <p>02:20:00 10       A. Almost immediately after talking with Lieutenant Maiello. I'm not sure of the exact date that that was, but the earliest available date I was able to get an appointment, I took. I believe as soon as I hung up with Lieutenant Maiello, I contacted my physician to make an appointment.</p> <p>17       (Scatchell Ex No. 8 was marked as of 1/9/18.)</p> <p>19       BY MR. FOWLER:</p> <p>02:20:50 20       Q. All right. Showing you what's been marked as Exhibit 8, this is – well, you tell me what this is.</p> <p>23       A. A doctor's note from my primary care physician, Sandoval, she's a doctor.</p>
		9 (Pages 33 to 36)

<p style="text-align: center;">Page 37</p> <p>1 Q. You received this -- well, you did 2 receive this letter, right? 3 A. Yes. 4 Q. You received it on or about November 9, 02:21:12 5 2017? 6 A. Yes. 7 Q. When you received it, what did you do 8 with it? 9 A. I gave it to my immediate supervisor 02:21:18 10 which -- I believe Lieutenant Maiello was on 11 vacation, so I most likely gave it to Sergeant 12 Schillinger, but I'm not positive. 13 Q. Do you believe as you sit here today 14 that this is the first note that you received 02:21:32 15 after feeling pain in your neck in or about 16 October/November of 2017? 17 A. Yes. 18 Q. So you think that the onset of the pain 19 came sometime/days before November 9, 2017? 02:21:46 20 A. Yes. 21 Q. Then does that suggest to you that your 22 conversation with Lieutenant Maiello that you 23 referred to a few minutes ago was early November 24 of 2017?</p>	<p style="text-align: center;">Page 39</p> <p>1 timeframe is. 2 After that, the pain was still 3 persisting. The numbness was still persisting. 4 So at that point, she made arrangements for me to 02:23:08 5 go do a -- I'm not sure of the name of the test. 6 Basically they test the nerves in your arms, your 7 spine, your neck. So I did that. And then after 8 that, I did an MRI. 9 Q. When did you do the -- the test that 02:23:22 10 you're referring to is -- have you ever heard that 11 called as a nerve conduction test? 12 A. No. 13 Q. Okay. The nerve test that you're 14 referring to, when was that? 02:23:34 15 A. Maybe -- I'm not positive. It might 16 have been early December or late November. I'm 17 not -- I think -- I believe it was early 18 November -- I'm sorry, early December. 19 Q. So November 9th, your doctor says 02:23:48 20 contact her in a couple of days and see how you're 21 feeling, correct? 22 A. Correct. And I was in constant contact 23 with her. 24 Q. So a couple of days go by, you contact</p>
<p style="text-align: center;">Page 38</p> <p>1 A. Yes. 2 Q. Okay. So early November of 2017, you 3 have a conversation with Lieutenant Maiello by 4 phone? 02:22:08 5 A. Yes. 6 Q. You went to see a doctor? 7 A. Yes. 8 Q. You got the note that's marked 9 Exhibit 8? 02:22:12 10 A. Yes. 11 Q. What's the next thing that happened 12 relating to your medical condition or your back? 13 A. Let me look at my note. 14 So I believe after this note, my doctor 02:22:26 15 wanted to play it cautious because I already had 16 undergone x-rays and MRI imaging in 2015. So she 17 didn't want to expose me right away to radiation 18 if she thought that it was something that may be 19 able to be resolved through medication. 02:22:40 20 So she put me on an aggressive steroid 21 and I'm not sure what other pills and told me to 22 followup with her in a couple days and see how I 23 felt. That kind of went on for maybe a week or so 24 or maybe more than that. I'm not sure what the</p>	<p style="text-align: center;">Page 40</p> <p>1 her. How did you contact her? 2 A. Via phone or it might have been through 3 MyChart but most likely through phone. 4 Q. Okay. Whatever that contact method 02:24:06 5 was, you said you're still hurting? 6 A. Correct. 7 Q. What's the next thing that happened 8 after that? 9 A. She said: Let's continue with the 02:24:14 10 pills and see if it resolves on its own, and she 11 told me to just try to rest and take the pills. 12 Q. Okay. Now, her note says: Has been 13 advised to continue to rest at home, on Exhibit 8. 14 Do you see that? 02:24:32 15 A. Yes, I see that. 16 Q. And that's what she told you? 17 A. She told me to get rest. She didn't 18 say to continue to rest at home. She didn't say 19 those exact words. She said just try to rest it. 02:24:40 20 Q. When you received Exhibit 8, did you 21 read it? 22 A. I did. 23 Q. And then you gave it to your 24 supervisor, right?</p>

10 (Pages 37 to 40)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/JJS 001646

Page 41	Page 43
<p>1 A. Yes.</p> <p>2 Q. And you gave it to your supervisor on 3 or about November 9th?</p> <p>4 A. Yes.</p> <p>02:24:56 5 Q. So we're moving forward a couple of 6 dates. She said she wants you to continue that 7 treatment?</p> <p>8 A. Uh-huh.</p> <p>9 Q. What's the next thing that happened 02:25:06 10 related to your neck or back?</p> <p>11 A. I continued to relay information to her 12 that nothing was improving at all and that I 13 didn't like taking the pills because all that made 14 me do was sleep, all I did was get drowsy and go 02:25:20 15 to sleep, and it really did nothing to numb the 16 pain or nothing like that. It just put me to 17 sleep.</p> <p>18 So I told her I'd like to figure out 19 how we can move forward and resolve this injury in 02:25:32 20 the most time-efficient way possible.</p> <p>21 And being that I'm on an HMO, she made 22 the recommendation then for me to go for this -- I 23 believe she referred to it as an EMG test. She 24 made the recommendation, and it took some time for</p>	<p>1 that conversation?</p> <p>2 A. Which conversation are you --</p> <p>3 Q. The first one that you had with either 4 one of them.</p> <p>02:26:52 5 A. With Lieutenant Maiello, the one where 6 I explained I was with Menolascino at the time?</p> <p>7 Q. Okay. Let's go back in the chronology.</p> <p>8 A. Okay.</p> <p>9 Q. You had the phone conversation with 02:27:02 10 Lieutenant Maiello before you went to see a 11 doctor, correct?</p> <p>12 A. Correct.</p> <p>13 Q. You went to see the doctor?</p> <p>14 A. Yes.</p> <p>02:27:08 15 Q. You got the November 9th note?</p> <p>16 A. Yes.</p> <p>17 Q. You gave that to your supervisor?</p> <p>18 A. Yes.</p> <p>19 Q. You said about a week later, you talked 02:27:14 20 to one of your supervisors?</p> <p>21 A. Yes.</p> <p>22 Q. Which one?</p> <p>23 A. I'm not positive. I believe it might 24 have been Schillinger, but it could have been</p>
Page 42	Page 44
<p>1 the HMO to approve it. Then once they did, I went 2 for that test.</p> <p>3 Q. After November 9th of 2017 when you 4 gave Exhibit 8 to your supervisor, what's the next 02:26:02 5 contact you had with any manager or supervisor at 6 the Police Department?</p> <p>7 A. Probably a week later, I checked in 8 with either Lieutenant Maiello or Sergeant 9 Schillinger weekly.</p> <p>02:26:14 10 Q. Why weekly?</p> <p>11 A. That was just something I felt was 12 honorable on my part and just to keep them in the 13 loop.</p> <p>14 Q. You're aware that the SOP requires you 02:26:24 15 to contact the Department every three days?</p> <p>16 A. I'm not aware of that.</p> <p>17 Q. Did you check?</p> <p>18 A. Did I check?</p> <p>19 Q. What the rules were about how often you 02:26:34 20 were supposed to report when you're on sick leave?</p> <p>21 A. No.</p> <p>22 Q. So the first conversation that you had 23 after November 9th with either Maiello or 24 Schillinger, as you sit here today, do you recall</p>	<p>1 either of them. Like I said, I was in contact 2 with them weekly and I don't know that they 3 requested that kind of timeframe. They just -- 4 what was stated to me was when you hear something 02:27:30 5 or something changes, keep us in the know. And 6 even though nothing was changing, I was still 7 keeping them in the know.</p> <p>8 Q. So that conversation would have been a 9 week after November 9th, right?</p> <p>02:27:40 10 A. Roughly.</p> <p>11 Q. So somewhere around November 16th?</p> <p>12 A. Roughly.</p> <p>13 Q. Okay. During that conversation -- and 14 I understand you said you don't recall exactly who 02:27:50 15 you spoke to?</p> <p>16 A. Uh-huh.</p> <p>17 Q. But you said it was one of those two, 18 correct?</p> <p>19 A. Yes.</p> <p>02:27:54 20 Q. During that conversation, what did you 21 say to them and what did whoever it was say back 22 to you?</p> <p>23 A. I just said that the doctor put me on 24 steroids and they're trying to do this medicinally</p>

11 (Pages 41 to 44)

L.A. Court Reporters, L.L.C.  
312-419-9292

**CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER**

VMP/LLS 004647

	Page 45		Page 47
	1      rather than go through any kind of imaging, and 2      they said: Okay. If anything changes, let us 3      know.		1      Q. You texted him a message. What was the 2      point of texting him?
02:28:14	4      Q. What is the next communication you had 5      with any supervisor or manager at the Department 6      relating to your back or neck or your attendance? 7      A. It would have been somewhere around the 8      20-something, the early 20s of November. 9      Q. Okay. Do you remember who that	02:30:12	3      MR. COOPER: Jeff, it would be great if 4      we could see that document.
02:28:30	10     conversation was with? 11    A. I do not. 12    Q. How did that conversation take place? 13    A. Same as the last one. 14    Q. By phone? 15    A. Yes. 16    Q. You called them? 17    A. Yes. 18    Q. During that conversation, what did you 19    say and what did they say? 20    A. I said that my injury is still the same 21    and we're continuing to evaluate it medicinally as 22    opposed to imaging. 23    Q. During that conversation in the early 24    November 20s period that you referred to, was	02:30:24	9      MR. FOWLER: He's already seen it. 10     MR. COOPER: Well, we can see it again. 11     MR. FOWLER: It was part of his 12     personnel file. 13     MR. COOPER: It's a big file. 14     Go ahead and read it (indicating).
02:28:36	15     Q. You sent him a text message on or 16     about November 19th, right? 17     A. I believe so, or around that date. 18     Q. What did that text message say? 19     A. I believe it says: Hey, can you give 20     me a call, or something like that.	02:30:42	15     BY THE WITNESS: 16     A. Okay. I've seen this. 17     BY MR. FOWLER: 18     Q. So you sent him a text message on or 19     about November 19th, right?
02:28:42	20     A. He called you? 21     Q. Anybody else on the line? 22     A. No. 23     Q. During that conversation, what did you	02:30:50	20     A. Yes. 21     Q. Anybody else on the line? 22     A. No. 23     Q. During that conversation, what did you
	Page 46		Page 48
	1      anybody else on the line? 2      A. No. 3      Q. During the conversation on or about 4      November 16th, was anybody else on the line? 5      A. No. 6      Q. After this conversation that you had in 7      the early November 20s timeframe that you referred 8      to, what's the next conversation you had with any 9      manager or supervisor at the Department? 10     A. Would have been late November/early 11     December, extrapolate a week from whatever 12     supposed date and there you are. 13     Q. Did you have a conversation with 14     Sergeant Schillinger on or about November 27, 15     2017, about taking some vacation days? 16     A. Not about vacation days. 17     Q. Did you text Sergeant Schillinger on or 18     about November 19, 2017? 19     A. Yes, I believe so. 20     Q. Do you still have that text? 21     A. I may. I may not. I'm not positive. 22     Q. Okay. I'm going to instruct you do not 23     delete that if you do have it. Understood? 24     A. Okay.		1      say and what did he say? 2      A. I followed up with him based on a 3      conversation I've had with him repeated times over 4      the year and Lieutenant Maiello where I stated 5      that I would like to have time-due days for a 6      certain date range which I believe is outlined in 7      that letter and I had verbal consent from them 8      that that would be okay when the time came to put 9      in for those days which is seven to ten days 10     before that period starts. 11     So throughout the year, we had 12     conversations about that, and I believe November 13     19th would have been roughly or around that date 14     range when the next period schedule would come out 15     and I'm allowed to put in for my compensatory 16     time. 17     Q. What I'm asking is: In that phone 18     conversation with Sergeant Schillinger on or about 19     November 19th, what did you say and what did he 20     say? 21     A. I said: Hey, Sarge -- paraphrasing, of 22     course, because I don't remember exact words. I 23     said something to the effect of: Hey, Sarge, just 24     following up with you about those days I asked you

12 (Pages 45 to 48)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/LIS 001648

<p style="text-align: center;">Page 49</p> <p>1 for. Would that be okay to put in for those when 2 the schedule comes out?</p> <p>3 And he says: Yes. When we hang up, 4 text me exactly the days that you want and I'll 02:32:06 5 check the manpower. If it's good, then we'll -- 6 I'll write you the slip and we'll get it to Deputy 7 Chief Castellan.</p> <p>8 Q. Who approves time-due days?</p> <p>9 A. Well, there's a process to shift 02:32:20 10 approval and then ultimately approved by Deputy 11 Chief Castellan. But as far as the shift goes, 12 you can't just put in for whatever days and then 13 that automatically gets forwarded to Deputy Chief 14 Castellan. That has to be vetted by either the sergeant or lieutenant, whoever is around that day 16 or around that period, and they'll look at the 17 manpower and say: Well, we either can or can't 18 approve this day because we have this many guys or 19 because we don't or do.</p> <p>02:32:46 20 Q. The ultimate approval goes up to the deputy chief?</p> <p>21 A. Correct. 22 (Scatchell Ex No. 9 was marked as of 23 1/9/18.)</p>	<p style="text-align: center;">Page 51</p> <p>1 A. Correct. This more or less would be 2 mid November, the 19th. So --</p> <p>3 Q. The conversation that you're referring 4 to late November/early December, who was that with?</p> <p>6 A. Again, either Sergeant Schillinger or 7 Lieutenant Maiello.</p> <p>8 Q. How did the conversation take place?</p> <p>9 A. I believe at that time I would have informed them that I was going for that EMG test which I explained.</p> <p>12 Q. Okay. How did the conversation take place; in person, over the phone?</p> <p>14 A. Over the phone.</p> <p>15 Q. Who called who?</p> <p>16 A. I would have called them.</p> <p>17 Q. Anybody else on the line?</p> <p>18 A. No.</p> <p>19 Q. During that conversation, what did you say and what did they say?</p> <p>21 A. Again, I explained to them that I believe at that time was when I was going for the EMG test or I was scheduled to go for the EMG test, and I explained to them the process from</p>
<p style="text-align: center;">Page 50</p> <p>1 BY MR. FOWLER:</p> <p>2 Q. Showing you what's been marked as 3 Exhibit 9, this is the document we've just been 4 talking about?</p> <p>02:33:10 5 A. Yes.</p> <p>6 Q. And you received this document on or 7 about -- or you received it before today?</p> <p>8 A. Before today, yes.</p> <p>9 Q. When you received it, you reviewed it?</p> <p>02:33:20 10 A. Briefly, yes.</p> <p>11 Q. Is there anything in this document that 12 strikes you as being untrue?</p> <p>13 A. To my conversation with Sergeant 14 Schillinger, nothing appears to be untrue.</p> <p>02:33:44 15 Q. All right. So after November 19th 16 then, what was the next communication that you had 17 with anyone from the Department concerning your 18 neck, back, or time off?</p> <p>19 A. After November 19th?</p> <p>02:33:56 20 Q. Yes.</p> <p>21 A. I believe I told you earlier it was late November or early December.</p> <p>22 Q. So there was another conversation late November/early December, right?</p>	<p style="text-align: center;">Page 52</p> <p>1 there. I believe the phrasing that he used was: 2 We don't really need to know exactly what your 3 medical condition is. I mean, if anything changes 4 or your condition changes, let us know.</p> <p>02:35:02 5 Q. What's the next communication you had 6 with anybody from the Police Department about your 7 medical condition or time off?</p> <p>8 A. After the MRI which would have been 9 shortly -- maybe two or three days after the EMG test because they didn't like the results of that 11 test, they sent me for an MRI and I contacted -- 12 which would only have been a couple of days. So 13 it wouldn't have been a week.</p> <p>14 I contacted one of my supervisors, not sure which, via the phone to let them know I'm going for an MRI.</p> <p>02:35:28 15 (Scatchell Ex No. 10 was marked as 16 of 1/9/18.)</p> <p>17 BY MR. FOWLER:</p> <p>18 Q. Showing you what's been marked as Exhibit 10, do you recognize this as the letter you received on or about November 27, 2017?</p> <p>21 A. Yes.</p> <p>22 Q. When you received this letter, did you</p>

13 (Pages 49 to 52)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/LIS 001640

	Page 53		Page 55
	1 turn it over to your supervisor? 2 A. Yes. 3 Q. When you received it, you read it? 4 A. Yes.		1 having had an opportunity to talk to your attorney, is there something that you'd like to tell us? 2 A. No.
02:36:04	5 Q. What happened to cause this letter to be issued? 6 A. Well, through the grapevine which obviously is not official and I don't remember who it came from, but I heard that my letter -- my	02:45:16	5 Q. I'll get back to that in a second. I'm going to backtrack a little bit. 6 Earlier you told us about the medical treatment you received between February and April of 2015. Do you remember that?
02:36:26	10 first letter which would have been the November 9th letter, Exhibit 8, was interpreted by Deputy Chief Castellan to mean that I was not to leave my house, ever, which I told my doctor that and she goes: That is not my intention with that note.	02:45:30	10 A. Yes. 11 Q. And that was as a result of a work-related injury that you reported to your supervisors, right? 12 A. Yes.
02:36:42	15 And she outlined what's in this note so that I may go about my everyday normal life (indicating). 16 Q. When did you have that conversation with your doctor? 17 A. On or about the 27th, or maybe a day before that.	02:45:34	15 Q. Okay. And that medical care was taken care of pursuant to Workmen's Comp, wasn't it? 16 A. No. 17 Q. That was part of your HMO? 18 A. Correct. I did not choose to use
02:36:56	20 Q. When was it that you heard the rumor from this person that you don't remember? 21 A. It would have been shortly before that. 22 Q. What exactly was it that you heard?	02:45:46	20 Workmen's Comp. 21 Q. Why not? 22 A. Didn't feel it was necessary. It was suggested by other people to use Workmen's Comp and sue or do whatever to get personal gains out
	Page 54		Page 56
	1 MR. COOPER: Well, this isn't a deposition. Because at this point you're sort of going into some attorney-client stuff, some of which could be --		1 of it, and I says absolutely not. My only concern is getting better, and that's what I did.
02:37:22	5 MR. FOWLER: So let me be clear. I appreciate that. 6 MR. COOPER: We can waive some stuff, but I need to go in the hallway with him.	02:46:08	3 Q. So then you continued to use your HMO in November of 2017? 4 A. Yes.
02:37:30	9 MR. FOWLER: Okay. But let me ask the question first. 10 BY MR. FOWLER: 11 Q. You said you don't remember who you heard it from? 12 A. Correct.	02:46:30	6 Q. Did you communicate to your HMO that you thought the injury was as a result of -- strike that. 9 Did you tell the doctor or the nurse practitioner, whoever, in November of 2017 that you thought the nature of the injury stemmed from February of 2015? 10 A. Yes, I told her I believe it's related to my last injury.
02:37:34	15 Q. Was it an attorney? 16 MR. COOPER: Well, slow down. Stop, stop, stop. Give us a minute. 17 (WHEREUPON, a recess was had.)	02:46:46	11 A. My primary care physician, Sandoval. 12 Q. Now, we were talking about this grapevine that you referred to. 13 A. Yes.
02:45:00	18 MR. COOPER: It's a little bit of attorney-client privileged information that 19 I'm willing to give you, but let's see where this goes. 20 BY MR. FOWLER: 21 Q. Okay. So let's do it this way: After	02:47:00	14 Q. And you said that sometime before November 27, 2017, you heard through the grapevine that they had a different -- that Deputy Chief Castellan had different perceptions of your

14 (Pages 53 to 56)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/JJS 001650

	Page 57	Page 59
1	restrictions than you did?	1 Exhibit 10?
2	A. Correct.	2 A. Yes.
3	Q. And that caused you to go back to your	3 Q. During that conversation, did you tell
4	doctor, right?	4 Dr. Sandoval that you were going hunting?
02:47:18 5	A. Correct. And I asked her could you	02:49:04 5 A. It may have came up. I'm not sure.
6	more -- or, I'm sorry, could you clarify in	6 I asked her if I was allowed to do
7	more -- in a little bit more detail as to what my	7 light exercises, and she said: Yes. She said:
8	restrictions are.	8 You can go about doing your everyday life. They
9	Q. So I'm going to do this two ways:	9 can't restrict you from doing your everyday life
02:47:30 10	First, I want to talk about the conversation with	10 as long as you're not doing anything that I would
11	the doctor.	11 deem to cause you further injury or further
12	A. Okay.	12 aggravation to the injury.
13	Q. That was Dr. Sandoval?	13 Q. Did you give her any details about what
14	A. Correct.	14 your everyday physical activities were?
02:47:38 15	Q. At her office?	02:49:30 15 A. Yeah. I told her that I walk around a
16	A. To my recollection, yes.	16 lot and that really was my only form of exercise
17	Q. Anybody else present in the room?	17 since this injury started which, for the record,
18	A. No.	18 started -- the injury started somewhere in late
19	Q. That conversation took place on or	19 October, as I stated earlier. At that time I
02:47:46 20	about November 27th?	20 weighed 186 pounds. Okay? Today -- or at my most
21	A. Roughly, yeah.	21 recent medical examination, I think was
22	Q. During that conversation, what did you	22 228 pounds, and my scale today says 236 pounds.
23	say and what did she say?	23 So I'm roughly 50 pounds heavier just
24	A. I told her that there's some word going	24 during the course of this injury because I haven't
	Page 58	Page 60
1	around that your note was interpreted -- the first	1 been able to do any kind of exercise like I would
2	note, the November 9th note, was interpreted to	2 normally do, like my usual repetitions and going
3	mean that I'm essentially bedridden or forbidden	3 to the gym and stuff like that, and I would never
4	to leave my house because it said: Rest at home,	4 go to the gym at this point out of fear of action
02:48:08 5	and that was, what I was told, interrupted as	5 by my administration.
6	stay home.	6 Q. Did you tell Dr. Sandoval anything else
7	Q. Did you tell her anything else?	7 about what your daily physical activities were?
8	A. I may have. I do not recall at this	8 A. I told her I like to walk around. I
9	time.	9 like to do light exercise. She didn't ask me to
02:48:18 10	Q. How did Dr. Sandoval respond?	10 elaborate and I didn't.
11	A. She said: That is 110 percent not my	11 Q. Anything else?
12	intention with that letter.	12 A. No.
13	Q. What else did she say?	13 Q. What is the next communication that you
14	A. She said that she would write another	14 had with any supervisor or manager at the Police
02:48:32 15	note and clarify what she meant, and then the rest	15 Department relating to your neck, back, or
16	of our conversation was typical doctor-patient	16 attendance at work?
17	stuff.	17 A. Following November 27th?
18	Q. What do you mean by that?	18 Q. Yes.
19	A. Well, she was talking to me about what	19 A. I believe I stated earlier which would
02:48:44 20	the next procedure is with my medical condition,	20 have been when I was going for the EMG test, early
21	and from there on, nothing pertained to the Police	21 December.
22	Department.	22 Q. And who was that conversation with?
23	Q. And then you said that she gave you the	23 A. Again, either Lieutenant Maiello or
24	note. That's the one that we talked about,	24 Sergeant Schillinger.

15 (Pages 57 to 60)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMD/JIS 001651

Page 61	Page 63
<p>1       Q. The grapevine that you referred to, who 2       told you about that grapevine comment? 3       A. I don't recall. 4       Q. How many people told you about the 02:51:20 5       grapevine comment? 6       A. Multiple people. 7       Q. "Multiple people" meaning people from 8       the Department? 9       A. Yes.</p> <p>02:51:28 10      Q. Other officers? 11      A. To my recollection, yes. 12      Q. Any supervisor or manager? 13      A. I don't recall if it was a supervisor 14      or manager. Again, I don't recall exactly who it 02:51:36 15      was. Because over the course of the last six 16      weeks, I've had multiple conversations with 17      multiple people about multiple different things. 18      Q. So you've told us about a conversation 19      with either Lieutenant Maiello or Sergeant 02:51:48 20      Schillinger about the EMG test? 21      A. Yes. 22      Q. What is the next communication that you 23      had with anyone from the Department about your 24      physical condition or your attendance?</p>	<p>1       received a memo from Deputy Chief Castellan, 2       didn't you? 3       A. Which memo are you referring to? 4       (Scatchell Ex No. 11 was marked as 02:52:48 5       of 1/9/18.) 6       BY MR. FOWLER: 7       Q. Showing you what's been marked as 8       Exhibit 11, do you recognize this as a memo you 9       received on or about December 4, 2017? 10      A. I did not receive this on or about 11      December 4th. 12      Q. Had you received it before today? 13      A. Yes, I have. It would have been more 14      like December 20th maybe, something to that 15      effect. It was never presented to me by anybody 16      until Sergeant Schillinger came to my house as a 17      followup. 18       I told him: Hey, come by and we'll 19      talk. 20      Then he said: This was left, a sealed 21      envelope that was left in the supervisor's desk. 22      It was never furnished to me until that point. 23      Q. Okay. So let's go through the 24      chronology.</p>
Page 62	Page 64
<p>1       A. It would have been what I stated 2       earlier which was after the EMG test, I let them 3       know that I was going for an MRI which was a 4       couple of days later.</p> <p>02:52:06 5       Q. Who did you talk to? 6       A. Sergeant Schillinger, Lieutenant 7       Maiello.</p> <p>8       Q. How did that conversation take place? 9       A. By phone.</p> <p>02:52:14 10      Q. You called them? 11      A. Yes.</p> <p>12      Q. Anybody else on the line? 13      A. No.</p> <p>14      Q. During that conversation, what did you 02:52:20 15      say and what did they say? 16      A. I let them know that my EMG test 17      results came back kind of iffy and I was going for 18      an MRI, and they stated to me: We don't need to 19      know exactly — I don't know which one stated this 02:52:30 20      to me — we don't need to know exactly what's 21      going on with your medical condition. Just let us 22      know if something changes or if you're returning 23      to work or light duty or anything like that. 24      Q. Now, during around this timeframe, you</p>	<p>1       You said that there was a conversation 2       about the MRI, and I'm guessing from what you're 3       saying that was around the second week or so of 4       December? 5       A. Probably more like around the 7th, 8th, 6       9th, something like that. I think I went the day 7       before or the day of my birthday which would have 8       been the 9th. I'm not positive but roughly. 9       Q. After that MRI conversation, what was 02:53:08 10      the next communication that you had with any 11      manager or supervisor at the Police Department? 12      A. It would have been a couple days to a 13      week later, and I was letting them know that now 14      they want me to go see a neurosurgeon, my doctor. 15      Q. You called? The conversation took 16      place by phone? 17      A. Yes. And I called, yes. 18      Q. Anybody else on the line? 19      A. No. 02:54:30 20      Q. And as you sit here today, do you know 21      who you were speaking to? 22      A. One of the two, either the lieutenant 23      or sergeant. 24      Q. Okay. During that conversation, what</p>

16 (Pages 61 to 64)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/LIS 001652

	Page 65		Page 67
	1 did you say and what did they say? 2 A. I said that the MRI results came back 3 with -- like I said in the last one, they didn't 4 want specifics. So it didn't come back in a 02:54:48 5 favorable manner and they wanted to go to the next 6 step which would be a neurosurgeon because my 7 doctor felt that at this point the injury was 8 something that's not her expertise and she needs 9 to send it to somebody else.		1 Maiello formerly, we'll both talk to him on the 2 phone. So it could have been from his phone. It 3 could be from anyone's phone. So I'm not 4 positive. 02:56:36 5 Q. So after this one that you talked 6 to your supervisor about the neuro test being 7 denied, what's the next communication that you had 8 with any manager?
	02:55:04 10 Q. After that conversation, what's the 11 next time you had any communication with any 12 manager or supervisor at the Police Department 13 concerning your physical condition or your 14 attendance?		9 A. That wasn't about the neuro testing. 02:56:50 10 That was to let them know I was waiting for 11 approval for the neuro. 12 Q. Okay. After the conversation where you 13 said you were waiting for approval, what's the 14 next communication you had with a manager or supervisor about your medical condition or your attendance?
	02:55:14 15 A. Like I said, I don't recall specifics, 16 but I would guess it would be around a week later, 17 another phone call just to let them know: Hey, 18 I'm still waiting to go for this neurosurgeon 19 test, because the HMO took two weeks to respond to 02:55:30 20 my doctor's referral and then ultimately denied 21 it. 22 Q. That conversation, do I have the 23 chronology right, it would be somewhere around 24 December 15th, something like that?		17 A. Same thing, my guess would be about a 18 week later to let them know -- 19 Q. So just before Christmas? 02:57:08 20 A. Yeah, I would say that's reasonable, 21 somewhere like the 22nd, 23rd. 22 Q. Okay. Who did you talk to? 23 A. I believe that one to be Sergeant Schillinger because Lieutenant Maiello was on
	Page 66		Page 68
	1 A. Something like that, yes. 2 Q. And that conversation, you're not sure 3 which of the two it was? 4 A. Correct. 02:55:48 5 Q. And anybody else on the line? 6 A. No. 7 Q. That conversation also took place by 8 telephone? 9 A. Yes. 02:55:52 10 Q. Anything else in that conversation that 11 you recall? 12 A. No, just letting them know that I was 13 waiting. And I believe my doctor's note says the 14 same thing from somewhere around that time, that I 02:56:02 15 was -- that my appointment was pending. 16 Q. Your communications with your 17 supervisors, you mentioned by them by phone. Was 18 it always from your cell phone? 19 A. I believe so. I'm not positive. Like 02:56:14 20 I said, there's times when I'm with Officer 21 Menolascino or whoever else and -- I mean, we 22 don't -- there's no reason that anything needs to 23 be secretive. So if I'm with him and he's got to 24 call Nunz and I got to call Nunz, Lieutenant		1 vacation. 2 Q. Also by phone? 3 A. Yes. 4 Q. Now, you said that somewhere around 02:57:26 5 December 20th somebody brought a letter to you? 6 A. Sergeant Schillinger, yes. 7 Q. Was this in the conversation that 8 you're talking about December 22nd or was there 9 something in between? 02:57:36 10 A. Well, there was that and I'm not sure 11 of the chronology of it, but shortly thereafter, 12 maybe a day or two later, we spoke on the phone 13 again after he was at my house. 14 Q. Okay. So he came to your house first? 02:57:48 15 A. Correct. 16 Q. Anybody else present? 17 A. No. 18 Q. He came to your house somewhere around 19 December 20th? 02:57:54 20 A. Somewhere around there, yeah. 21 Q. During that conversation, what did you 22 say and what did he say? 23 A. Basically just let him know my status 24 which -- to be honest, now we're getting muddled

17 (Pages 65 to 68)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMD/LIS 001652

<p style="text-align: center;">←</p> <p style="text-align: center;">Page 69</p> <p>1 in chronology, but he then gave me the note and 2 wished me luck with all this stuff because at that 3 point now the entire town apparently knew about 4 it.</p> <p>02:58:16 5 Q. The note you're referring to is the 6 note marked Exhibit 11?</p> <p>7 A. Yes, marked 123 on the bottom.</p> <p>8 Q. Then you said --</p> <p>9 A. That was the first time I saw that</p> <p>02:58:28 10 note.</p> <p>11 Q. Okay. Then you said a couple days 12 later, you had a telephone conversation with 13 Sergeant Schillinger?</p> <p>14 A. Yes.</p> <p>02:58:34 15 Q. You called him?</p> <p>16 A. Yes.</p> <p>17 Q. Anybody else on the line?</p> <p>18 A. No.</p> <p>19 Q. During that conversation, what did you</p> <p>02:58:40 20 say and what did he say?</p> <p>21 A. Let him know that the neuro got denied 22 by my HMO, and the reason for their denial is we 23 don't have a neurosurgeon in the network that I 24 chose when I was hired. So being that it's an</p>	<p style="text-align: center;">Page 71</p> <p>1 believe. Let me --</p> <p>2 MR. COOPER: This is probably a good 3 time for me to chime in.</p> <p>4 This letter came about on my</p> <p>5 recommendation to my client to get clarity 6 from his physician based on conversations 7 that you and I had; for the record, 8 Mr. Fowler, the conversations had between 9 myself and you, Mr. Fowler, as to my client's fitness to travel.</p> <p>10 BY MR. FOWLER:</p> <p>11 Q. You received this letter on or about 12 the 15th?</p> <p>13 A. Yes.</p> <p>14 Q. You gave it to your supervisor on or 15 about that day?</p> <p>16 A. I believe I did, yes. I'm not positive, but I believe I did.</p> <p>17 Q. I understand what your attorney said, but we're here talking about what you know.</p> <p>18 A. Okay.</p> <p>19 Q. Did you have any communications with 20 any supervisor or manager at the Police Department about this letter?</p>
<p style="text-align: center;">Page 70</p> <p>1 HMO, they wanted me to go see a spinal specialist 2 who is in our network and there's only two of 3 them.</p> <p>4 So I told him that, and then I said: 02:59:02 5 Unfortunately being that there's only two, I 6 believe that the secretary said they're both out 7 of town, and the earliest date that I could get in 8 would be either January 9th which I did not take 9 because here we sit or January 10th which is 02:59:14 10 tomorrow, and that's the appointment that I took. 11 (Scatchell Ex No. 12 was marked as 12 of 1/9/18.)</p> <p>13 BY MR. FOWLER:</p> <p>14 Q. Showing you what's been marked as 02:59:36 15 Exhibit 12, do you recognize this letter?</p> <p>16 A. Yes.</p> <p>17 Q. This letter is dated December 15, 2017?</p> <p>18 A. Yes.</p> <p>19 Q. You received it on or about December</p> <p>02:59:46 20 15th?</p> <p>21 A. Thereabouts, yes.</p> <p>22 Q. What did you do with it when you got 23 it?</p> <p>24 A. Turned it over to my supervisor, I</p>	<p style="text-align: center;">Page 72</p> <p>1 A. Can you rephrase?</p> <p>2 Q. Did you talk to any of your supervisors 3 about this?</p> <p>4 A. I believe I said that. Around the 03:00:54 5 15th, I contacted them to let them know that my 6 appointment was pending, somewhere or thereabouts.</p> <p>7 Q. Okay. Anything else?</p> <p>8 A. Not to my recollection at this time.</p> <p>9 Q. And the appointment that was pending is 03:01:10 10 the one that led to getting this letter, is that 11 what you're saying?</p> <p>12 MR. COOPER: I think that misstates the 13 witness' testimony.</p> <p>14 MR. FOWLER: That's what I'm trying to 03:01:18 15 understand.</p> <p>16 MR. COOPER: Can you please reask the 17 question or reword it?</p> <p>18 BY THE WITNESS:</p> <p>19 A. Yeah. Can you reword that?</p> <p>20 BY MR. FOWLER:</p> <p>21 Q. You went to see the doctor on or about 22 December 15th, right?</p> <p>23 A. I don't believe I went to my doctor. I 24 think that was just her following up with her</p>

18 (Pages 69 to 72)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/LIS 001654

	Page 73		Page 75
	1 referral to the neuro at that time. 2 Q. Okay. 3 A. And she furnished another note. 4 Q. Now, this note is referring to your 03:01:46 5 prior arranged travel plans. Do you see that? 6 Are you looking at the wrong document? 7 MR. COOPER: We're looking a document 8 dated December 15th, and we see the word 9 "prior" in the second to the last sentence.		1 A. Nothing else pertinent. 2 Q. Did you tell her where you were going? 3 A. No. She didn't ask. 4 Q. Did you tell her what you would be 03:03:28 5 doing at the destination? 6 A. I told her recreation. 7 Q. Did she ask what recreation? 8 A. No. 9 Q. Then you said that you gave Exhibit 12 to one of your supervisors? 10 A. I believe so, but I'm not positive on that.
03:02:00	10 BY MR. FOWLER: 11 Q. Do you see that? 12 A. Right. 13 Q. So how did your doctor know about your 14 prior arranged travel plans?		13 Q. Now, after December 15th, then you told 14 us about the communications with Sergeant 15 Schillinger on or about the 20th and the 22nd, right? 16 A. Somewhere in there, yes.
03:02:06	15 A. I let her know. 16 Q. By phone, by person, how? 17 A. By phone. 18 Q. You called her up and asked her for 19 another note?		18 Q. What's the next communication that you 19 had with any manager or supervisor with the Department regarding your attendance or your physical condition?
03:02:16	20 MR. COOPER: Wait. My instructions to 21 my client — I understand you're asking what 22 he said. My instructions to my client were 23 to get clarity from his physician so that I 24 can give you answers to questions that you		22 A. It would have been the very next doctor's note which was, I don't know, maybe ten days after this one.
	Page 74		Page 76
	1 asked me. 2 MR. FOWLER: I understand. 3 BY MR. FOWLER: 4 Q. And I'm focusing, Officer Scatchell, on 03:02:36 5 what you did and who you talked to and what you 6 said. Do you understand that? 7 A. Yes. 8 Q. Okay. What I'm asking you is: What 9 conversation or communication did you have with 03:02:46 10 Dr. Sandoval that resulted in Exhibit 12? 11 A. It would have been by phone after I 12 spoke with my attorney, and I let her know that I 13 had a trip planned which was planned for a long 14 time. 15 I asked her would me being on a plane 16 have any impact whatsoever on my injury? 17 She said: No. 18 Q. Is there anything else in that 19 conversation that you told her other than being on 03:03:10 20 a plane? 21 A. I just told her that I was going out of town and that I would be on a plane. No, there 23 was nothing else. 24 Q. Did you tell her —		1 Q. What doctor's note are you referring 2 to? 3 A. I think there's -- or is this the last 4 one (indicating)? 03:04:14 5 Q. Well, I'll tell you, this is the last 6 one I'm aware of. 7 A. Okay. Then this is the last one. I'm 8 sorry. I misspoke. 9 Q. Okay. As you sit here today, you're not aware of a doctor's note after December 15th? 03:04:26 10 A. The one that I attempted to give Deputy 11 Chief Castellan yesterday. 12 Q. Okay. 13 A. That would be probably the only recent 14 one that I can recall. 15 Q. Do you have a copy of that one? 16 A. Not with me, no. Unfortunately my 17 printer at home wasn't working and -- actually, 18 you know what? There's two doctor's notes. 03:04:36 19 There's one -- wait. 20 No, this is the most recent one as of yesterday which states light duty employment 22 pending the consultant input, and I wrote a 23 To/From to Director Pitassi a couple days ago

19 (Pages 73 to 76)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/LJS 001655

Page 77	Page 79
<p>1       stating that I would like to come back light duty.      2       He instructed me to get ahold of Deputy Chief      3       Castellan yesterday at 10:00 a.m. which I did.      4           I contacted him and he stated to me      03:05:14 5       that basically he believes this to be too vague      6       and he wanted me to have my doctor more so define      7       what I can do, and that's -- she wrote that note.      8       And within maybe ten minutes of her sending me      9       that note through MyChart, I contacted Deputy      03:05:34 10      Chief Castellan again and received no answer.      11       MR. FOWLER: Chris, have you seen the      12       doctor's note that he's referring to?      13       MR. COOPER: No.      14       BY MR. FOWLER:      03:05:40 15       Q. I'll tell you, I haven't, either.      16       A. Right. Again, this all came up      17       yesterday. I assumed that I would be speaking      18       with Deputy Chief Castellan about it, but I      19       contacted him, left a voicemail, and at that point      03:05:52 20      I never received any correspondence thereafter.      21       Q. Here's what I want you to do: I want      22       you to give that note to your attorney as soon as      23       you can.      24       A. Okay.</p>	<p>1       one.      2       MR. COOPER: Don't mark it?      3       MR. FOWLER: No, because that's the      4       only one we have.      12:48:08 5       MR. COOPER: She's already marked it      6       (indicating).      7       MR. FOWLER: Oh, okay.      8       BY MR. FOWLER:      9       Q. All right. So looking at Exhibit 13,      10       there's now some writing on the lower right,      11       inter-something, it looks like that's what Chris      12       just wrote?      13       A. Inter.      14       Q. Okay. So that's the document that you      03:07:30 15       referred to that you gave to Deputy Chief      16       Castellan, right?      17       A. No. I gave that to Director Pitassi      18       and Deputy Chief Castellan was copied.      19       Q. Got it. And as a result of this note,      03:07:40 20      you received communication back saying that you      21       need to provide more detail as to your medical      22       restrictions, right?      23       A. Correct.      24       Q. And that's the document that you think</p>
<p style="text-align: center;">Page 78</p> <p>1       MR. FOWLER: And then, Chris, you're      2       going to send it to me.      3       MR. COOPER: Absolutely.      4       MR. FOWLER: Can I mark this one?      5       MR. COOPER: Is that the same one?      6       MR. FOWLER: No, it's not the doctor's      7       note.      8       BY THE WITNESS:      9       A. Is that my To/From?      10       (Scatchell Ex No. 13 was marked as      11       of 1/9/18.)      12       BY MR. FOWLER:      13       Q. Now showing you what's been marked as      14       Exhibit 13, can you tell us what that is, please?      03:06:36 15       A. That's the aforementioned To/From that      16       I wrote the other day to Director Pitassi.      17       Q. And this is the one that you talked      18       about asking for light duty, correct?      19       A. Correct.      03:06:50 20       Q. When you submitted Exhibit 13, had you      21       checked the SOPs first as to what information you      22       were supposed to provide?      23       A. I spoke with Director Pitassi and --      24       MR. FOWLER: Chris, don't mark on that</p>	<p style="text-align: center;">Page 80</p> <p>1       you submitted yesterday?      2       A. I did not submit it yesterday. I      3       attempted to submit it as per my conversation with      4       Deputy Chief Castellan. He asked me to contact my      03:06:08 5       doctor which I did, and I told her -- or explained      6       to her secretary that her last note which would be      7       Exhibit 11 was deemed too vague and it needed to      8       be clarified as to what I could do in a light-duty      9       capacity.      03:08:26 10       MR. COOPER: Exhibit 11 or 12?      11       THE WITNESS: I'm sorry. 12, it's 12,      12       dated December 15th.      13       BY MR. FOWLER:      14       Q. You said you attempted to submit a      03:08:36 15       doctor's note yesterday?      16       A. Yes.      17       Q. What does that mean?      18       A. That means I spoke with Deputy Chief      19       Castellan. We had a clear understanding of what I      03:08:44 20       was going to do that day which was contact my      21       doctor. I asked him: Are you going to be in the      22       office the rest of the day?      23       He stated to me: Yes, I will, because      24       of this new system we're running -- or whatever</p>

20 (Pages 77 to 80)

L.A. Court Reporters, L.L.C.  
 312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMPLIS 001656

<p style="text-align: center;">Page 81</p> <p>1 his occupation on that day.</p> <p>2 I contacted my doctor, explained to the 3 secretary that her note was too vague, and I asked 4 if she can put in there what she deems appropriate 03:09:08 5 for me in a light-duty capacity.</p> <p>6 She wrote her note through MyChart and 7 that goes straight to my email. Within ten 8 minutes of getting that email, I contacted Deputy 9 Chief Castellan through the CSO desk and no 03:09:22 10 answer, left a voicemail.</p> <p>11 Q. Okay. So you tried to contact him?</p> <p>12 A. Correct.</p> <p>13 Q. Okay. I'm just trying to be clear as 14 to what happened.</p> <p>03:09:28 15 A. This is the second time. I did contact 16 him the first time.</p> <p>17 Q. So let's break it down a little bit.</p> <p>18 A. Okay.</p> <p>19 Q. The first conversation with Deputy 03:09:34 20 Chief Castellan yesterday --</p> <p>21 A. Yes.</p> <p>22 Q. -- by phone or in person?</p> <p>23 A. By phone.</p> <p>24 Q. Anybody else on the line?</p>	<p style="text-align: center;">Page 83</p> <p>1 And he stated: Yes, I'll be in the 2 office the rest of the day because of this new 3 system we're implementing.</p> <p>4 Q. Anything else in that conversation?</p> <p>03:10:42 5 A. Take care, Chief.</p> <p>6 Take care, John. That was probably the 7 extent of it.</p> <p>8 Q. Anything else you recall as you sit 9 here today?</p> <p>03:10:50 10 A. Not at this time.</p> <p>11 Q. Then you had a conversation with your 12 doctor?</p> <p>13 A. Doctor's secretary.</p> <p>14 Q. And you understood as a result of the 03:11:02 15 conversation with the doctor's secretary they 16 would issue a revised note spelling out the 17 restrictions, right?</p> <p>18 A. Correct. And for the record, my doctor 19 was kind of perplexed as to why it was requested. 03:11:16 20 She wanted me to wait for the specialist's 21 appointment tomorrow, but acting in good faith as 22 I have been, I wanted to return to work. So I 23 asked her if there was anyway she could just 24 clarify what she meant in the last note.</p>
<p style="text-align: center;">Page 82</p> <p>1 A. It's a station line so it's recorded.</p> <p>2 Q. But nobody else was an active 3 participant?</p> <p>4 A. Not to my knowledge.</p> <p>03:09:46 5 Q. During that conversation, what did he 6 say and what did you say?</p> <p>7 A. He stated to me: Okay. You want to 8 come back light duty, that's great. I'm 9 paraphrasing, of course.</p> <p>03:09:58 10 I said: Yeah, I'd like to come back.</p> <p>11 And he said: Okay. What we need you 12 to do is contact your doctor and get a more clear 13 definition as to what you can and can't do.</p> <p>14 He cited Officer Thull as an example, 03:10:14 15 stating that -- and whether it's accurate or not, 16 that his doctor's note stated that -- and this is 17 verbatim -- he is allowed to answer phones and sit 18 in a chair. This is verbatim from Deputy Chief 19 Castellan.</p> <p>03:10:24 20 Q. Okay. Anything else in that 21 conversation?</p> <p>22 A. I says: Okay. Thank you very much, 23 Chief. I'll contact you later. Are you going to 24 be in the office the rest of the day?</p>	<p style="text-align: center;">Page 84</p> <p>1 Q. So let me backtrack a second. 2 You talked to the secretary?</p> <p>3 A. Yes.</p> <p>4 Q. You told her that you needed a note 03:11:38 5 clarifying the restrictions?</p> <p>6 A. Correct.</p> <p>7 Q. Anything else in that conversation with 8 the secretary?</p> <p>9 A. No.</p> <p>03:11:42 10 Q. And that was by phone?</p> <p>11 A. Yes.</p> <p>12 Q. Anybody else on the line?</p> <p>13 A. No.</p> <p>14 Q. The next conversation -- did you talk 03:11:48 15 to the doctor again?</p> <p>16 A. Never spoke to her verbally.</p> <p>17 Q. How do you know she was perplexed about 18 anything?</p> <p>19 A. Because that's what the secretary 03:11:56 20 stated to me.</p> <p>21 Q. Is there anything else that you and the 22 secretary talked about that we haven't talked 23 about here today?</p> <p>24 A. Not that I recall.</p>

	Page 85		Page 87
	1 Q. You finished with the secretary, and at 2 some point after that, you saw a new letter in 3 MyChart? 4 A. Yes. 03:12:08 5 Q. So it was emailed to you? 6 A. Through MyChart, yes. 7 Q. Okay. And then you tried to reach 8 Deputy Chief Castellan? 9 A. Yes, station line. 03:12:18 10 Q. Did you email the document to him? 11 A. I do not have his email. 12 Q. You tried to reach him by phone but 13 didn't speak to him; is that what I understood you 14 to say? 03:12:28 15 A. Correct. 16 Q. Have you spoken to him since then? 17 A. No. After I did not hear back from him 18 last night, I assumed I would see him here which I 19 was correct in assuming. At that point I was 03:12:36 20 planning on furnishing him the note, but my 21 printer does not work at home. So I could furnish 22 a copy on – electronically, but I can't – but I 23 have no hardcopy. 24 Q. Okay. Have we now exhausted your	03:14:10 1 So if I go to court, I'm guaranteed, 2 for example, three hours of time due and that 3 would be my bank. So any time you use a time-due 4 date, it takes eight hours off. Q. So we can agree that when you use the term "compensatory time," that's the same as "time due"? A. Correct. Q. Vacation time, compensatory time, 03:14:20 5 birthday; any other time off other than sick time or sick leave? A. Sick time, sick days, and new days which I guess in layman's terms would be personal days. 03:14:34 15 Q. Okay. What is the process for requesting vacation time in advance? If you want 16 to take a vacation at some time in the future, how 17 do you go about asking for it? A. Could you be more clear as to if you're 18 asking for the use of vacation days or going on a vacation? Q. I'm not sure what distinction you're 19 making, but I think from my standpoint, if you're 20 going on vacation, you're using vacation days,	
	Page 86		Page 88
	1 memory of every communication that you have had 2 with every supervisor or manager at the Police 3 Department concerning your medical condition or 4 your attendance since October of 2017? 03:13:04 5 A. To what I can recall at this time, yes. 6 Q. Okay. Now I want to go back and talk 7 about the vacation schedule. 8 What is the process for you to request 9 vacation days -- well, let me break it down a 03:13:32 10 little bit more. You referred to vacation, time 11 due, birthday. 12 Time due is the same as comp time; you 13 use that term, also? 14 A. I believe that would – could you 03:13:44 15 define like what you're referring to as "comp 16 time"?" 17 Q. Well, I'm asking you. You used the 18 term earlier, "comp time." What did you mean? 19 A. Compensatory time, is what I said 03:13:52 20 earlier. 21 Q. Right. What is "compensatory time"?" 22 A. Well, that's basically I worked, the 23 Department has already received the man hours for 24 it, and I get a bank of what's called time due.	03:15:14 1 right? 2 A. That wouldn't be accurate. 3 Q. Okay. Why not? 4 A. Well, who's to say that you can't use new days to go on vacation? 6 Q. Okay. 7 A. Or use time due to go on vacation? You 8 can use anything to go on vacation. That's just 9 the vernacular. 03:15:22 10 Q. Okay. So then I will be more precise. 11 Thank you for the clarification. 12 What is the process for asking for the use of vacation days? 14 A. The use of vacation days would start 03:15:32 15 roughly in November/December of the preceding 16 year. 17 So the document that you have in front of you is 2017 vacation picks, so that would have 18 started somewhere around November/December of 19 2017. The only way that works is it goes by 20 seniority based on the shift that you're on. 21 So the senior officer has a clean sheet 22 and he's able to make his pick. Then it goes down 23 to the second, third, fourth, fifth, sixth, 24	

22 (Pages 85 to 88)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/LIS 001658

	Page 89		Page 91
1	seventh, eighth officer until it gets to me. Then	1	A. Once the sheet is completed, then
2	I make my pick. Then it goes back through the	2	everybody knows where they stand for the following
3	order. Once it hits the last person in seniority,	3	year, and the supervisors will provide that to
4	it comes back to the top. Then it continues that	4	Deputy Chief Castellan and it's basically set in
03:16:08 5	process all the way until each officer has	5	stone for the following year.
6	exhausted their vacation days for the upcoming	6	Q. And is the next step after that
7	year.	7	somebody completes a calendar that shows what the
8	Q. So if I understand what you're saying,	8	days are?
9	the first officer to pick, the one with the most	9	A. Well, like I explained earlier, usually
03:16:22 10	seniority, wouldn't pick all of his or her	10	the upcoming period, the schedule will come out or
11	vacation for the entire year at that point?	11	it will be available to the patrol officers
12	A. No.	12	roughly ten days to two weeks before the period
13	Q. They would just pick one?	13	starts, seven to ten days, something like that.
14	A. They would pick one, or, if it's	14	But I think that -- and don't quote me because I'm
03:16:30 15	available early on, you're allowed to pick a whole	15	not a supervisor, I believe what they do at the
16	period -- it's broken down into two picks per	16	start of the year once the vacation picks are
17	period. So if it was available, a senior officer	17	finalized, they do go in there and they put in all
18	could presumably pick a whole period if it's not	18	of the vacation picks. So if you're looking --
19	taken already.	19	Q. I don't want you to guess on something.
03:16:42 20	Q. Okay.	20	So you think that they put it in a
21	A. But most generally, everybody takes a	21	calendar, but you don't see that until shortly
22	half a pick which is a two-week pick.	22	before that period of time?
23	Q. Then it continues that rotation until	23	A. Right. We don't have access to the
24	everybody has filled out the form with whatever	24	calendar. The only time we see that calendar is
	Page 90		Page 92
1	their request is for that year?	1	through our supervisors or it's posted in the CSO
2	A. Right. So the third time through I	2	office during that particular period.
3	believe in 2016 was when my vacation days were	3	(Scatchell Ex No. 14 was marked as
4	exhausted. So then when it goes past me and it	4	of 1/9/18.)
03:17:06 5	comes back down to where my spot would be again	5	BY MR. FOWLER:
6	for the fourth time, it would skip me because I	6	Q. Showing you what's been marked as
7	don't have any vacation days left.	7	Exhibit 14, is this the vacation sheet that you
8	It would keep going through that	8	were just referring to?
9	process until everybody has used the appropriate	9	A. Yes.
03:17:16 10	vacation days.	10	Q. And this is for the officers on
11	Q. Until they filled out the form?	11	Lieutenant DiMaio and Sergeant Maiello's shift?
12	A. Not until they filled out the form;	12	A. Correct.
13	until everybody's vacation days are used up or	13	Q. And that included you for 2017?
14	thereabouts. If you have a couple extra, somebody	14	A. Yes.
03:17:26 15	will tack -- a supervisor will tack it on to the	15	Q. So by this, you would be putting down
16	end of one of your picks or something like that	16	the periods that you're requesting vacation for
17	which is usually customary.	17	for 2017?
18	Q. You don't mean used up in the sense of	18	A. Correct.
19	actually taken, but used up in the sense of being	19	Q. Show me where -- so if I understand you
03:17:36 20	put on the form?	20	correctly, in the 11th period, October 12th
21	A. Right, on the sheet. It's almost like	21	through 25th, that was you?
22	a draft, if you will.	22	A. The one next to Thull, yes.
23	Q. Okay. So once then that sheet is	23	Q. And the nine days plus two new days,
24	completed, what's the next step?	24	what does that mean?

23 (Pages 89 to 92)

L.A. Court Reporters, L.L.C.  
312-419-9292

**CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER**

	Page 93		Page 95
1	A. So do you see the three above my name?	1	A. Correct. So starting December 7th
2	Q. Yes. What's that mean?	2	would be my first regular day off of that period.
3	A. That indicates which pick it was. So	3	December 8th is a regular day off. So you
4	that would have been the third trip through the	4	wouldn't use vacation time for those days because
03:20:18 5	order of seniority and that was my final pick. So	03:22:22 5	you're already off. So you start counting the
6	as such, to complete the pick, it would have been	6	vacation days based on the days you're supposed to
7	an 11-day pick. I only had 9 vacation days in my	7	be at work -- or scheduled to be at work, I should
8	theoretical bank at that time. So they, as in a	8	say.
9	supervisor, always offer you the opportunity to	9	So if you start at December 9th, that's
03:20:34 10	complete the pick with new days. I was approached	03:22:32 10	one, two, three, four, five, six, going to
11	by I believe Lieutenant DiMaio if I wanted to	11	December 14th. So that's six days. Then that
12	complete that pick with new days, and I said to	12	carries me into my next set of regular days off
13	him yes.	13	which would be 15, 16, and 17. Then 18, 19, and
14	So before the 2017 calendar year even	14	20 were days I'm scheduled to be at work, so that
03:20:50 15	began, I was down the two new days. So I started	03:22:50 15	would be vacation day 7, 8, and 9.
16	that year with essentially eight new days which	16	Q. Okay. You're filling out Exhibit 14 at
17	was agreed upon and I was fine with that.	17	the beginning of the year when you've got 30 days,
18	Q. So in a particular period, let's -- if	18	correct?
19	I understand this correctly, your first pick then	19	A. Correct.
03:21:02 20	was this period December 13th through December	20	Q. And so just to be clear, you're first
21	20th, right?	21	pick was the period of December 7th through the
22	A. December 7th through December 20th.	22	20th of 2017, your second pick was February 2nd
23	Q. I'm sorry. You're exactly right.	23	of 2017, and your third pick was the period of
24	So December 7th through December 20th,	24	October 12th through 25th of '17; is that right?
	Page 94		Page 96
1	that's your first pick?	1	A. Correct. And I didn't have a fourth
2	A. Yes.	2	pick because I was out of days.
3	Q. And that's designated as the number one	3	Q. And this is what you're picking at the
4	circled above your name, right?	4	beginning of -- actually in the end of the prior
03:21:16 5	A. Correct. So my first 9 vacation days	03:23:36 5	year?
6	out the 30 that I get go to that pick.	6	A. Correct. And then this little notation
7	Q. Is the 9 days covering that entire	7	means that it was already approved, everything was
8	period?	8	approved, and I believe that comes from Deputy
9	A. Correct.	9	Chief Castellan. He could shed some light on
03:21:26 10	Q. How is it that 9 days covers that	10	that.
11	14-day period?	11	Q. So what happens if -- you're doing this
12	A. With your regular days off in between.	12	10, 11, 12 months in advance. What happens if as
13	So I don't have the exact calendar in front of me,	13	of December of 2017 you have already used some of
14	but, for example, if you want, let me take a look	14	your vacation days for that year?
03:21:40 15	at that.	03:24:02 15	A. You would not use -- you're not allowed
16	(Scatchell Ex No. 15 was marked as	16	to use vacation days as like: Hey, Lieutenant --
17	of 1/9/18.)	17	paraphrasing, of course -- I want tomorrow off.
18	BY MR. FOWLER:	18	Could I use a vacation day? That's not allowed.
19	Q. So handing you what's been marked as	19	This is the only scope in which you're
03:22:02 20	Exhibit 15 --	20	allowed to use your vacation days is through this
21	A. Yes.	21	process.
22	Q. -- you were explaining that if you look	22	Q. Okay.
23	at this calendar, it shows how the use of 9 days	23	(Scatchell Ex No. 16 was marked as
24	covers that 14-day period. So explain that to me.	24	of 1/9/18.)

24 (Pages 93 to 96)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/LIS 001660

	Page 97	Page 99
1	BY THE WITNESS:	1 Q. Okay. Now, this shows: On hold,
2	A. Are we moving on from this	2 Purchase by November 22nd. Does that communicate
3	(indicating)?	3 to you that you purchased this ticket sometime
4	BY MR. FOWLER:	4 shortly before November 22nd?
03:24:34	5 Q. Yes.	5 A. I would assume so. I'm not positive.
6	A. Could I inquire as to why I was listed	6 Again, outsourced to my mother.
7	as injured for the last two days of the pick now	7 Q. So let's talk about your 2017 vacation
8	that we've clarified the nine days?	8 time. It's February, the year moves along, and
9	Q. Not from me.	9 now comes vacation time in October.
03:24:46	10 MR. COOPER: Let the record reflect	10 A. Okay.
11	he's looking at Exhibit 15. He's pointing to	11 Q. Part of the reason for that vacation
12	a column in 15.	12 was for hunting season, right?
13	MR. FOWLER: Okay.	13 A. Part of it, yes.
14	BY MR. FOWLER:	14 Q. During hunting season, you go out every
03:25:02	15 Q. All right. So at the beginning of the	15 day?
16	year, one of the reasons why you sought vacation	16 A. I wouldn't say every day, but it varies
17	time in October and December is that you're a	17 by week, depending on weather and other
18	hunter, right?	18 conditions.
19	A. Not limited to, but it would probably	19 Q. Hunting season, we're talking about
03:25:18	20 be the primary reason, sure.	20 goose hunting in October and November?
21	Q. You're a hunter?	21 A. Goose and duck. We'll call it
22	A. I am a hunter, yes.	22 waterfowl.
23	Q. Showing you what's been marked as	23 Q. So starting -- your vacation started --
24	Exhibit 16, you recognize this as airline tickets	24 strike that.
	Page 98	Page 100
1	that you purchased?	1 Your vacation started October 12th,
2	A. Yes.	2 right?
3	Q. Now, when did you purchase these	3 A. Yes, I believe so.
4	tickets?	4 Q. When does hunting season start?
03:26:12	5 A. I'm not entirely sure.	5 A. It varies every year.
6	Q. This document shows: On hold, Purchase	6 Q. When did it start in 2017?
7	by November 22, 2017, right?	7 A. What state are you referring to?
8	A. Right. Again, I'm not entirely sure.	8 Q. Illinois.
9	I don't handle any of my own travel arrangements.	9 A. Illinois would have been October 20th
03:26:28	10 My mother is very good with that stuff. I	10 or maybe the 21st.
11	outsource everything to her.	11 Q. Did you go hunting in any state other
12	Q. This trip was to -- ultimately to	12 than Illinois in 2017?
13	Portland and then back?	13 A. Yes.
14	A. Correct.	14 Q. Where?
03:26:38	15 Q. Did you go on this trip?	15 A. Wisconsin.
16	A. Yes.	16 Q. Okay. So let's start talking about
17	Q. When did you leave?	17 when you went on vacation on October 12th. What's
18	A. Well, that's the return.	18 the first hunting trip you did?
19	MR. COOPER: My client's looking at the	19 A. I had several hunting trips before that
03:26:48	20 document.	20 point.
21	BY THE WITNESS:	21 Q. But I'm talking about October 12th.
22	A. I don't see my departure date from	22 A. From October 12th on?
23	O'Hare in here. I only see the Portland portion.	23 Q. Yes.
24	BY MR. FOWLER:	24 A. I might have went to Wisconsin during

25 (Pages 97 to 100)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMD/JIS 001661

Page 101	Page 103
1      that time duck hunting. I'm not entirely 2      positive. 3      Q. As you sit here today, what was the 4      first hunting trip you recall? 03:29:26 5      A. As of when? 6      Q. As of after October 12th. 7      A. I believe it to be when I went to 8      Wisconsin duck hunting. 9      Q. Duck hunting and goose hunting is both 03:29:38 10     with a 12 gauge? 11     A. No. 12     Q. What do you use for duck? 13     A. You can use any gauge. 14     Q. What do you use for duck? 03:29:46 15     A. It depends by day. So some days I use 16     a 20 gauge. Some days I use a 28 gauge. Some 17     days I use a 12 gauge. Some days I use a 410. 18     Some days I use a 16 gauge. It just depends. 19     Q. During October of 2017, what gauges did 03:30:00 20     you use? 21     A. Most likely 12 and 20. 22     Q. During October of 2017, you also went 23     goose hunting? 24     A. It would have been -- again, we'll call	1      Q. And with the size of the round, the 2      amount of recoil increases, correct? 3      A. That's not necessarily true. It 4      depends on the gun. It depends if it's 03:31:16 5      gas-operated or inertia-operated. It just all 6      depends. 7      Q. So let's focus on the 12 gauge and 20 8      gauges that you've used in 2017. 9      A. Okay. 03:31:30 10     Q. What model of 12 gauge do you use? 11     A. Benelli Super Black Eagle II; Benelli 12     Super Black Eagle I; Winchester Super X 3; 13     Browning Auto 5, the newer model. 14     Q. Anything else? 03:31:58 15     A. Winchester SX 3, 12 and 20 that would 16     be. 17     Q. Anything else? 18     A. Nope, not to my recollection. 19     Q. What 20 gauge shotguns have you used 03:32:16 20     this year? 21     A. Winchester SX 3 would be the 20. 22     Q. No other 20s? 23     A. No. 24     Q. Did your doctor know you were shooting
Page 102	Page 104
1      it waterfowl because you have the opportunity to 2      take ducks and geese in the same hunt. 3      Q. What gauge shotgun did you use when you 4      were goose hunting? 03:30:20 5      A. You use the same one for ducks and 6      geese. So if I go out there on any particular 7      day, I'm using that gun no matter for ducks or 8      geese. It's not as if I'm alternating guns. 9      Q. You're using a 410 for geese? 03:30:32 10     A. I've done it. 11     Q. Okay. The 12 gauge -- well, as you 12     progress lower in the numbers, you've mentioned a 13     410, 28 -- 14     A. Yes. 03:30:44 15     Q. -- 20, 16, 12 -- 16     A. Yes. I've shot all of them this year. 17     Q. Did you shoot anything bigger than a 12 18     gauge? 19     A. No. The only gauge that would be 03:30:54 20     bigger than 12 is a 10 gauge, and anybody that 21     needs a 10 gauge shouldn't be hunting. 22     Q. And as you go lower in the numbers, the 23     size of the round increases, right? 24     A. As you go lower, yes.	1      a 12 gauge? 2      A. She knows I hunt, yes. 3      Q. Did she know you were shooting a 12 4      gauge in October and November and December of 03:32:50 5      2017? 6      A. It wouldn't have been pertinent for my 7      doctor to know that in October. 8      Q. Does that mean no? 9      A. It means it wasn't discussed because I 03:32:58 10     wouldn't have talked to my doctor for some time in 11     October of 2017. 12     Q. Okay. So in November of 2017, did you 13     tell your doctor that you were shooting a 12 14     gauge? 03:33:08 15     A. It never came up in conversation, no. 16     Q. In December of 2017, did you tell your 17     doctor you were shooting a 12 gauge? 18     A. I don't believe it ever came up in the 19     conversation. Actually in December, I almost 03:33:24 20     exclusively used only a 20 gauge. 21     Q. Why is that? 22     A. Less recoil, less -- all my guns are 23     inertia-operated that I use which makes the recoil 24     down to almost nothing.

26 (Pages 101 to 104)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/LIS 001662

<p style="text-align: center;">Page 105</p> <p>1 Q. Now, you received Exhibit 2 on or about 2 December 8, 2017, right? 3 A. Correct. 4 Q. And you were aware from Exhibit 2 – 03:34:02 5 I'll take that back. 6 A. (Tendering document.) 7 Q. – that you had an interrogation 8 scheduled for – 9 A. The 19th. 03:34:12 10 Q. – the 19th of December? 11 A. Yes. 12 Q. You didn't show up for that, did you? 13 A. No, I did not. 14 Q. And why not? 03:34:18 15 A. Because I was in Washington as I 16 believe my attorney spoke with you about, and we 17 again in good faith coordinated with you with my 18 itinerary which I was not required to furnish and 19 I had a pre-approved vacation that was covering 03:34:38 20 those days and I went on my vacation as I 21 originally planned. 22 Q. Did any supervisor or manager excuse 23 you from attending the interrogation on December 24 19th?</p>	<p style="text-align: center;">Page 107</p> <p>1 Department specifically saying that I didn't have 2 to be there. 3 Q. Now, since November 9th of 2015, you 4 own a silver Ford Raptor? 03:35:58 5 A. State the date again. 6 Q. Since November 9, 2015. 7 A. Incorrect. 8 Q. Okay. What vehicles have you owned 9 since November 9, 2015? 03:36:08 10 A. A 2014 Raptor SVT, red not gray, and 11 then a 2017 SVT Raptor in light gray and that was 12 purchased in March of this year. 13 Q. March of -- 14 A. Of 2017. I apologize. Still getting used to 2018. 16 Q. You also own a boat? 17 A. I do. 18 Q. What kind of boat do you own? 19 A. An Express boat, I believe is the brand. It's a duck hunting boat. 21 Q. Describe the boat for us. 22 A. It's a jon boat, a flat bottom with a permanent blind affixed to it which is something used for concealment when you're duck hunting, and</p>
<p style="text-align: center;">Page 106</p> <p>1 A. I never – 2 MR. COOPER: Wait a second. 3 MR. FOWLER: I'll ask the question 4 differently. 03:34:52 5 BY MR. FOWLER: 6 Q. Did you talk to any supervisor or 7 manager who excused you from attending the 8 interrogation on December 19th? 9 MR. COOPER: Well, the supervisor 03:35:04 10 didn't plan it or notice it up. So I'm 11 thinking of the statute. I don't have it in 12 front of me. Can you ask it another way? 13 BY MR. FOWLER: 14 Q. Prior to December 19th, did any 03:35:18 15 supervisor or manager tell you that you didn't 16 have to be there on December 19th? 17 MR. COOPER: I'm still confused there. 18 Your office noticed up the deposition – I'm 19 sorry, the interrogation. 03:35:36 20 BY MR. FOWLER: 21 Q. The question to you: Prior to December 22 19th, did any supervisor or manager tell you that 23 you didn't have to be there? 24 A. I don't recall anybody from the</p>	<p style="text-align: center;">Page 108</p> <p>1 it's got a surface-drive motor which allows to you 2 go in places that you normally wouldn't with a 3 regular outboard motor. 4 Q. That boat is about 14 feet long? 03:37:12 5 A. No. 6 Q. How long is it? 7 A. 17. And with the blind, it's 8 approximately 21. 9 Q. You also own an SUV, don't you? 03:37:26 10 A. Are you referring to the Suburban that 11 I sold? 12 Q. Okay. You had – at some time you had 13 a Suburban? 14 A. I think it was a '97 Suburban which I 03:37:38 15 no longer own. 16 Q. When did you sell it? 17 A. Sometime over the summer. I'm not 18 entirely sure. I'd have to look at my documents. 19 Q. Did the person you sold it to allow you 03:37:48 20 to still use it in the fall of 2017 for duck 21 hunting? 22 A. No. 23 Q. You also own a white trailer? 24 A. I do.</p>

<p style="text-align: center;">Page 109</p> <p>1 Q. What's the purpose of that trailer?      2 A. To store decoys and hunting equipment.      3 Q. During the November/December of 2017      4 timeframe, you also regularly drove Mr. Scavo's      03:38:20 5 black Ford F-150?      6 A. I did.      7 Q. Mr. Scavo is the former chief of police      8 of the Village of Melrose Park?      9 A. He is -- well, Jaconetti was after him      03:38:28 10 and then Chief Pitassi, Director Pitassi.      11 Q. And you're aware that Mr. Scavo is a      12 convicted felon?      13 A. Yes.      14 Q. How long have you known Mr. Scavo?      03:38:42 15 A. I would say probably as long as I can      16 remember being alive, so at least 20 years.      17 Q. Were you on the Department when he was      18 chief?      19 A. No, I was not.      03:38:54 20 Q. And you traded trucks with him for      21 several weeks, didn't you?      22 A. Every year we do the same thing.      23 Q. Why did you do that?      24 A. He liked to drive my truck when we go</p>	<p style="text-align: center;">Page 111</p> <p>1 A. I was listed as a guide, yes.      2 Q. What did that mean, to be listed as a      3 guide?      4 A. That means that I have a certificate      03:40:16 5 from the State of Illinois which authorizes me to      6 bring people hunting and they could pay me a fee.      7 Or I don't have to charge a fee, but I can take      8 hunters every day if I so choose. You have to      9 outline what properties and whatnot, but it's an      03:40:32 10 official document from the Illinois Department of      11 Conservation.      12 Q. When did you first become affiliated      13 with IDecoy Guide Services?      14 A. We started it in 2016 and ended it in      03:40:48 15 2017.      16 Q. When you say "we started it," who is      17 the "we"?      18 A. Myself and Mr. Scavo.      19 Q. And who owned the company?      03:40:56 20 A. It's not -- I mean, I don't believe it      21 was owned, but it's Vito's company, Mr. Scavo's      22 company, and I was just in there in the capacity      23 to guide with him.      24 Q. During 2016, did you receive any money</p>
<p style="text-align: center;">Page 110</p> <p>1 hunting. And if I'm not going, he still goes. I      2 like to let him use my truck because my truck is      3 an off-road truck. It's designed to go off-road.      4 So what's mine is his.      03:39:18 5 Q. You said if you're not going, he takes      6 your truck?      7 A. Correct.      8 Q. But even if you are going, he still      9 takes your truck, doesn't he?      03:39:26 10 A. Correct.      11 Q. Now, are you familiar with a company      12 called IDecoy Guide Service?      13 A. Now defunct company, yes.      14 Q. When was it defunct?      03:39:38 15 A. Approximately August or September of      16 this year. There's no revenue to be stated for      17 this calendar year -- or last calendar year.      18 Q. When you say "August or September of      19 this year," you mean 2017?      03:39:50 20 A. 2017, yes. Most of the scope of what      21 we're talking about is 2017. So if I say "this      22 year," I apologize, but we're talking about 2017.      23 Q. Okay. You have a role with -- or did      24 you have a role with IDecoy Guide Services?</p>	<p style="text-align: center;">Page 112</p> <p>1 as a result of guiding for --      2 A. I don't recall. I believe there were      3 several dates that we received money and that      4 would have been -- there's documentation you have      03:41:20 5 to provide to the state, and I believe it's 10 to      6 14 days of the regular season ending, and we did      7 that. So as far as what specific or how much      8 money, I can't even state accurately.      9 Q. During 2017, did you receive any monies      03:41:36 10 from -- as a result of the guide services through      11 that company?      12 A. No.      13 Q. You said earlier that there's a      14 process -- strike that.      03:41:50 15 I was asking you questions earlier      16 about a process for receiving approval for      17 secondary employment. Do you remember that?      18 A. Correct.      19 Q. Did you ever receive approval for      03:42:00 20 working as a guide for IDecoy Guide Services?      21 A. I did not consider it to be work.      22 Q. Why not?      23 A. I didn't make any revenue off of it.      24 Q. Any other reason?</p>

	Page 113		Page 115
1	A. Any revenues that were generated	1	A. Where are you seeing that?
2	through iDecoy Guide Service would have gone back	2	Q. Middle of the first page, issue date.
3	to hunting equipment.	3	A. Okay. Yes, I believe so then.
4	Q. So my question was: Did you receive	4	Q. You believe it was issued on or about
03:42:28 5	approval from anybody to do guide service for that	04:04:12 5	November 18, 2017?
6	company?	6	A. Yes, uh-huh.
7	A. I don't believe so. I'm not positive	7	Q. What was the purpose of that trip?
8	on that. I know I have a secondary employment	8	A. Recreation, trip with my grandfather.
9	form that's been filled out and approved by	9	Q. What did you do in Portland with your
03:42:44 10	Director Pitassi.	04:04:22 10	grandfather?
11	Q. Now, the materials that the guide	11	A. Sightseeing, a little bit of hunting,
12	service used, sometimes that — some of those	12	just basically kind of took in an area where I've
13	materials are your own, right?	13	never been.
14	A. Yes.	14	Q. What kind of hunting did you do in
03:42:54 15	Q. Like the trailer that you mentioned?	04:04:34 15	Portland?
16	A. Correct.	16	A. Duck or goose.
17	Q. The decoys?	17	Q. Most of your hunting is waterfowl?
18	A. Correct.	18	A. Yes -- well, I wouldn't say that, but I
19	Q. The Suburban, you used that for the	19	would say a good portion.
03:43:02 20	guide service?	04:04:44 20	Q. We were talking about the location of
21	A. Sure, but not for guiding people. It's	21	your trailer.
22	just for everyday use -- or it was for everyday	22	A. Yes.
23	use, I should say.	23	Q. That trailer was used as part of the
24	Q. For towing a trailer?	24	guide service, right?
	Page 114		Page 116
1	A. Correct.	1	A. At one point or another, sure.
2	Q. You kept the trailer parked down	2	Q. You used the trailer for hunting in
3	somewhere around Ottawa during hunting season?	3	2017, too, right?
4	A. Incorrect.	4	A. Yes.
03:43:16 5	Q. Where did you park it at?	04:05:14 5	Q. In November of 2017?
6	THE WITNESS: Am I required to disclose	6	A. Most likely, yes.
7	that?	7	Q. And the trailer isn't stored at your
8	MR. COOPER: Let's take a moment.	8	home in Melrose Park, is it?
9	(WHEREUPON, a recess was had.)	9	A. Correct, it's not.
03:43:24 10	(Scatchell Ex No. 17 was marked as	04:05:24 10	Q. Where is it stored?
11	of 1/9/18.)	11	A. In the vicinity of the Oswego area.
12	BY MR. FOWLER:	12	Q. There are a couple of different
13	Q. Showing you what's been marked as	13	locations where you go hunting frequently in the
14	Exhibit 17 —	14	Ottawa area?
04:03:48 15	A. Okay.	04:05:44 15	A. No, not Ottawa.
16	Q. -- you mentioned earlier with respect	16	Q. Oswego?
17	to your trip to Portland, the document that I	17	A. Yes.
18	showed you earlier was the return trip?	18	Q. One of them is a lake?
19	A. Correct.	19	A. If you want to call it a lake, I would
04:03:54 20	Q. This is the trip going to Portland,	20	just more or less call it a waterhole. I mean,
21	right?	21	it's a man-made pond.
22	A. Yes.	22	Q. And when you go there, you use your
23	Q. This shows that the ticket was issued	23	boat?
24	on or about November 18, 2017?	24	A. Correct. Sometimes, not all the time.

	Page 117		Page 119
	1 Q. You keep the boat stored in that area 2 as well? 3 A. Sometimes, not all the time. 4 Q. When you keep the boat stored there, is 04:06:14 5 it hooked up to a vehicle? 6 A. When it's stored there? No. 7 Q. So if you're going to go hunting with 8 the boat, you would drive there, hook it up to a 9 vehicle, drive it to the water?		1 times have you been out hunting in the fall of 2 2017? 3 A. From the point that my back and neck 4 started to hurt? 04:08:08 5 Q. Yes. 6 A. I really couldn't give you an accurate 7 guess on that. 8 Q. More than one? 9 A. Absolutely.
04:06:26	10 A. No. 11 Q. Okay. Walk me through the process of 12 how you use the boat when you're hunting on the 13 water. 14 A. If we have the boat there, the boat is 04:06:36 15 going to be already in the water before we go 16 hunting that day. So it's going to be in the 17 water for the duration of the season. 18 Q. When you say if we go hunting there, 19 who is "we"?		04:08:16 10 Q. More than five? 11 A. Most likely. 12 Q. More than ten? 13 A. Perhaps. 14 Q. More than 20? 04:08:20 15 A. I don't think so. 16 Q. Let's talk about the hunting activities 17 for just a moment. 18 A. Okay. 19 Q. When you're hunting -- well, let me be 20 clear.
04:06:44	20 A. Any of my usual friends that I go 21 hunting with. I don't care to name them all. 22 Q. Mr. Scavo is one of the ones that you 23 go hunting with? 24 A. He comes with, yes.		21 The hunting that you did in the fall 22 of 2017 up until today, has that all been 23 waterfowl? 24 A. No.
	Page 118		Page 120
	1 Q. You're aware that, as a felon, it's 2 illegal for him to possess a firearm? 3 A. Correct. 4 Q. You're aware that, as a felon, it's 04:07:04 5 illegal for him to go hunting? 6 A. That's not true. 7 Q. Well, let me be more accurate. As a 8 felon, it's illegal for him to actually use a 9 firearm in hunting, isn't it? 04:07:12 10 A. I believe so. 11 Q. You said that one of the first hunting 12 trips that you did in 2017 was to Wisconsin? 13 A. No. That was one of the first hunting 14 trips that you asked from the range of October 04:07:38 15 12th onward. 16 Q. Fair enough. From October 12th onward, 17 the first trip was in Wisconsin? 18 A. Correct, to my recollection. 19 Q. So let me be a little more specific 04:07:48 20 then. You said that sometime in late October or 21 early November that you felt some pain in your 22 neck and back? 23 A. Correct. 24 Q. As of that point in time, how many		1 Q. What other than -- what hunting other 2 than waterfowl have you done? 3 A. In October -- or actually, I'm sorry, 4 in September, I would have been -- 04:08:54 5 Q. I'm going to stop you. I don't care 6 about that. 7 A. All right. 8 Q. I want to focus on from the time that 9 you started feeling pain again in your back and neck. 04:09:04 10 A. Okay. 11 Q. Since that time, what kind of hunting 12 have you done? 13 A. Mostly waterfowl. And from the range 04:09:14 14 of when I started to feel the injury to the last 15 day that I hunted would have been somewhere around 16 I would say at least ten days between hunting. So 17 my belief is not that it occurred by hunting, if 18 that's the connection you're trying to make. 04:09:32 19 Q. So if I understand what you're saying 20 is you hadn't been hunting for at least ten days 21 when you first started feeling pain? 22 A. Correct. 23 Q. And then once you started feeling pain,

30 (Pages 117 to 120)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/LIS 001366

	Page 121		Page 123
1	you continued to do hunting, right?	1	wouldn't be carrying anything else.
2	A. I wouldn't say that. I would say that	2	Q. You sometimes carry two weapons?
3	when I started to feel pain, I took an abnormal	3	A. No, never.
4	amount of days off from hunting to what my usual	4	Q. So you carry stuff, you generically,
04:09:54 5	would be as per my doctor's request to rest and I	5	you and others who are going with you to the boat?
6	did that. So if I felt any better or whatever, I	6	A. Correct.
7	would go.	7	Q. Put it in the boat?
8	But mostly -- like before, I explained	8	A. Correct.
9	to you that I gained 50 pounds and I was cooped up	9	Q. Take the boat out onto the water
04:10:12 10	in the house for multiple days at a time and I	10	somewhere?
11	wanted to get out, just exercise my legs, walk, be	11	A. Right.
12	there with the guys, blow goose call, work my dog	12	Q. And you're typically doing that very
13	You know, hunting, to explain it to	13	early morning, aren't you?
14	somebody who doesn't do it, it's more the	14	A. It depends. It could be early morning.
04:10:28 15	experience than what you're going to kill. We may	15	It could be mid-morning. It could be afternoon.
16	kill a lot. We may kill a little. But my	16	Again, hunting fluctuates based on the
17	experience, the fun I get out of it, is being with	17	weather, based on what the birds are doing, the
18	my friends, watching the birds work, cooing the	18	migration paths. There's so many variables that
19	birds, and watching the dogs work. The shooting	19	come into play.
04:10:44 20	is probably the least part of it that I enjoy out	20	Q. How long are you in the boat on
21	of all of it.	21	average?
22	Q. Since you started feeling pain in your	22	A. One to two hours, maybe three at the
23	neck and back in November-ish of 2017, have you	23	maximum.
24	done any hunting other than waterfowl?	24	Q. Now, the boat, you said earlier, was a
	Page 122		Page 124
1	A. No.	1	17-foot jon boat?
2	Q. The two types of -- let me ask the	2	A. Correct.
3	question differently.	3	Q. About six-foot wide?
4	How many different types of waterfowl	4	A. Roughly.
04:11:08 5	hunting do you do? You mentioned the boat.	5	Q. It doesn't have lounge chairs?
6	A. On water and on land.	6	A. It's got very comfortable chairs.
7	Q. Okay. When you're hunting on water,	7	Q. Doesn't have a bed?
8	you mentioned earlier that the boat is in the	8	A. It does not have a bed. That would be
9	water in the beginning of the season?	9	awesome, though, if it did.
04:11:20 10	A. Correct.	10	Q. It kind of would be.
11	Q. Walk me through the process of what you	11	And then after the one to two hours
12	do physically when you're going to be hunting on	12	that you referred to, you take it back to shore?
13	water, starting from the time you pull into --	13	A. Correct.
14	A. So a normal day, we pull up to the spot	14	Q. Unload it?
04:11:36 15	where the boat is parked and walk from the truck	15	A. Unload the things that we brought in
16	to the boat. On a normal day, we'll carry several	16	that day. Most of the equipment that we're going
17	items to the boat and put it storage bins where	17	to use during the hunt is already in there.
18	everything can go.	18	Q. Carry the equipment back to the truck?
19	And since my injury, the only thing	19	A. No. In a typical day, I would carry my
04:11:52 20	that I've really been carrying would be my calls	20	gun back to the truck and my duck and goose calls.
21	which would weigh maybe a pound and my weapon	21	Q. And then you take the truck back home?
22	because I'm required to carry my weapon because	22	A. Correct.
23	it's in my possession at all times. And other	23	Q. So does that accurately and completely
24	than that, I mean, walking to the duck boat, I	24	describe the process of hunting waterfowl when

31 (Pages 121 to 124)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMD/11SC 001667

	Page 125		Page 127
	1 you're using the boat? 2 A. To explain it here, yes, I believe so. 3 Q. So now let's talk about when you're 4 hunting from land.		1 A. Yes, I'm sorry. For the record, about 2 chest-height. 3 Q. So you go out. And the pit is already 4 dug at the beginning of the season?
04:14:04	5 A. Okay. 6 Q. Walk me through that process. 7 A. A very similar process; we meet 8 somewhere, drive the truck and trailer to a field, 9 and bring our equipment to the blind, decoys get set out, and then we hunt.	04:15:44	5 A. Yes. A lot of them have been dug for 6 15, 20 years, perhaps. 7 Q. So you go out, spread out all the 8 decoys, go in the pit, and do hunting. How long 9 are you in the pit?
04:14:18	10 Q. So driving the truck and trailer, if 11 the trailer is parked in that area, the first 12 thing you need to do is hook up the trailer?	04:16:04	10 A. Same thing as with the water, one to 11 two hours, maybe three. 12 Q. At the end of that period, you retrieve 13 the truck and trailer, load up all of the decoys?
04:14:28	14 A. No. It's already hooked up. 15 Q. Hooked up to a truck that's there? 16 A. Correct, most of the time. 17 Q. What truck is there? 18 A. Right now, there isn't a truck there. 19 Q. Well, what truck was there in November 20 and December of 2017?	04:16:14	14 A. Correct. 15 Q. Return them and then you go home, right? 16 A. Correct. 17 Q. Anything else about the process of 18 hunting from on land that we haven't talked about?
04:14:38	21 A. I'm not sure if we used Roger's 22 truck -- or I'm not sure whose truck we used. 23 You'd have to specify dates. We use multiple 24 trucks.	04:16:28	20 A. Not to my recollection. I mean, it's 21 pretty simple stuff. 22 Q. So you said earlier that you reported 23 the injury sometime early November, right? 24 A. I believe it would be, yeah, early
	Page 126		Page 128
	1 Q. Who is Roger? 2 A. A friend that we hung with, and he also 3 has decoys and stuff there. 4 Q. So the trailer that you have has a 5 bunch of decoys in it? 6 A. Correct. 7 Q. So you would take the vehicle and the 8 trailer out into the middle of the field? 9 A. Out to where our blind is. It's a pit 10 blind which I believe Deputy Chief Castellan is 11 familiar with. He helped dig several of them. 12 Q. So you would then spread out the decoys 13 around the pit blind?		1 November-ish. 2 Q. So I want to talk about that time forward. 3 A. Okay. 4 Q. How about the time period of November 5 9th through the 12th? 7 A. Honestly I can't tell you if I did or 8 didn't. I wouldn't be able to tell you exact date ranges. I mean, I know I went hunting in November. I don't know what days.
04:15:04	10 Q. Can you describe what a pit blind is? 11 A. Basically it's either a wood or steel 12 box in the ground which has benches and backrests 13 and a platform which you can stand up and shoot 14 out of and the top of it is level with the ground. 15 So when you're standing in it, you're 16 basically -- well, I'm a shorter guy, but you'd be 17 about here and you're looking out (indicating). 18 Q. You're referring to about chest-height 19 when you say "about here"?	04:17:08	11 Q. November 13th, did you go hunting? 12 A. I don't recall if I did or didn't. I 13 might have. I'm not sure. 14 Q. November 14th, did you go hunting? 15 A. Again, don't recall. I might have. I 16 might not. I'm not sure. 17 Q. But isn't it true when you go hunting 18 out in the Oswego area, your typical pattern is to 19 leave your house somewhere in the 4:00 o'clock hour in the morning? 21 A. It depends every day, but in that time of year, you could probably set your watch by it which I know some people have. 22 Q. November 14th, isn't it true that you
04:15:30	20	04:17:18	23

32 (Pages 125 to 128)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/LJS 001668

<p style="text-align: center;">Page 129</p> <p>1 left the house prior to 4:50 a.m. to go hunting?</p> <p>2 A. You could say that. I'm not sure what 3 days I went, but you could say I probably left 4 some days before 4:50.</p> <p>04:17:52 5 Q. If your IPass records show that you 6 were hunting -- or that your truck went through 7 the Oswego area on the morning of November 14th, 8 would you have any reason to disagree with that?</p> <p>9 A. If it shows that, most likely I was 04:18:08 10 there or it could have been Vito taking my truck. 11 Again, we trade trucks, as I've stated. As me 12 personally driving every day -- or driving a car, 13 I should say, every day, I was driving his car for 14 a while. We do that every year.</p> <p>04:18:22 15 Q. November 15th, you went hunting, didn't 16 you?</p> <p>17 A. I'm not sure. Again, you're putting 18 dates out there that I'm not positive about.</p> <p>19 Q. Any reason to disagree that you left 04:18:32 20 your house before 4:45 a.m. on November 15th?</p> <p>21 MR. COOPER: Well, objection, asked and 22 answered. He said he doesn't know.</p> <p>23 MR. FOWLER: I'm asking a more detailed 24 question.</p>	<p style="text-align: center;">Page 131</p> <p>1 records which apparently you do, you could say for 2 a pretty good certainty that I was out of my 3 house.</p> <p>4 Q. November 16th, you left the house at 04:19:40 5 4:15 a.m. to go hunting, didn't you?</p> <p>6 A. Again, you're specifying dates that I 7 can't attest to without -- I mean, without looking 8 at camera footage or anything like, I don't know.</p> <p>9 Q. Any reason to disagree that you went 04:19:56 10 hunting on November 16th?</p> <p>11 A. Well, define "hunting."</p> <p>12 Q. Any reason to disagree that you went 13 out on a hunting trip on November 16th where you 14 brought a shotgun?</p> <p>04:20:08 15 MR. COOPER: Objection, asked and 16 answered.</p> <p>17 BY MR. FOWLER:</p> <p>18 Q. You can answer.</p> <p>19 A. I mean, there's been days where I don't 04:20:14 20 bring a shotgun. There's been days where I go out 21 and I just call.</p> <p>22 Again, you're asking questions about 23 something that occurred perhaps two months ago. 24 Maybe it did. Maybe it didn't. I don't know the</p>
<p style="text-align: center;">Page 130</p> <p>1 BY THE WITNESS:</p> <p>2 A. You're asking me about date ranges. 3 We're talking two months ago. Do you remember 4 what you ate for breakfast on November 15th?</p> <p>04:18:52 5 BY MR. FOWLER:</p> <p>6 Q. Remember, this is an opportunity for me 7 to ask you questions.</p> <p>8 A. I'm aware, but I'm just posing how 9 ridiculous it sounds to somebody that goes very 04:19:02 10 frequently to say did you go on this particular 11 day two months after the fact.</p> <p>12 Q. Do you have any reason to disagree that 13 you left your house before 4:45 a.m. on November 14 15th to go hunting?</p> <p>04:19:14 15 MR. COOPER: Objection, asked and 16 answered. I'm willing to get you this 17 information. In other words, I'll meet with 18 my client, we'll check his calendar. I mean, 19 he can check it now. If he can't, we'll get 04:19:22 20 it.</p> <p>21 BY MR. FOWLER:</p> <p>22 Q. Do you have a calendar with you?</p> <p>23 A. I don't keep days in my calendar of 24 when I went hunting. But if you have my IPass</p>	<p style="text-align: center;">Page 132</p> <p>1 specifics of that day.</p> <p>2 Q. So as you sit here today, you just 3 don't know one way or the other?</p> <p>4 A. I don't recall. That's what I'm 04:20:32 5 telling you.</p> <p>6 Q. Are there any documents that you can 7 think of -- strike that.</p> <p>8 Are there any documents whatsoever that 9 would refresh your recollection as to what dates 04:20:42 10 you went hunting?</p> <p>11 A. I mean, if you have IPass records of me 12 going westbound on I-88 which I do often when I'm 13 hunting, it's a safe bet to say that I went out 14 with the guys.</p> <p>04:20:56 15 Now, what I did on that day or any of 16 that -- I mean, the scope of an IPass means that 17 my truck went through there. Like I said, there's 18 been days when Vito goes without me and takes my 19 truck. There's been days when other friends take 04:21:08 20 my truck and go without me. I have no problem 21 with that. That doesn't bother me.</p> <p>22 Q. Other than IPass, is there anything 23 else that you can think of that might refresh your 24 recollection as to when you went hunting?</p>

		Page 133	Page 135
1	A. Not that I can recall.	1	Q. Who is Roger Grivetti?
2	Q. Do you have any text messages or email	2	A. Hunting friend.
3	communications with any of your friends about	3	Q. And Roger Grivetti has a son, correct?
4	hunting dates?	4	A. That's correct.
04:21:28	5 A. Most of our conversations occur via	04:23:54	5 Q. And he goes hunting with you guys?
6 phone, like phone calls. I mean, you'll have me	6 A. He's got two sons and they both go		
7 calling people that I've hung with, but what	7 hunting.		
8 occurred during those conversations, I don't know.	8 Q. Let's talk about November 20th of 2017.		
9 Q. When you go out waterfowl hunting early	9 A. Okay.		
04:22:02	10 in the morning, it's your practice to go to	04:24:06	10 Q. Was there an occasion that -- do you
11 7-Eleven first and get a coffee?	11 remember November 20, 2017?		
12 A. Sometimes. It depends.	12 A. I remember the day in question, sure.		
13 Q. Any reason to disagree that you stopped	13 Q. Okay. Tell me what happened on that		
14 at a 7-Eleven around 4:15 a.m. on November 16th?	14 day.		
04:22:16	15 MR. COOPER: Objection, asked and	04:24:20	15 A. Do you have particular questions you
16 answered.	16 want to ask?		
17 BY MR. FOWLER:	17 Q. Sure. What time did you leave your		
18 Q. You can answer.	18 house that morning?		
19 A. I may have been. I may not have been.	19 A. Somewhere in the 4:00-something range		
04:22:24	20 I mean, a typical day, sometimes I go to 7-Eleven;	20 most likely.	
21 or if I'm running late, I'll stop at Dunkin Donuts	21 Q. Where did you go?		
22 on the way. It varies.	22 A. To the same spot where we duck hunt.		
23 Q. So if I go through these dates one by	23 Q. With whom?		
24 one, is there any particular day as you sit here	24 A. Most likely that day I probably drove		
		Page 134	Page 136
1	today that you know for sure that you went hunting	1	with Vito and Rick; Richard, as you called him
2	or you know for sure you didn't? And I'll break	2	Q. Bono?
3	that down. I'll do it a piece at a time.	3	A. Correct.
4	A. Okay.	4	Q. You left Melrose Park and went there in
04:22:46	5 Q. Since November 9th of 2017 --	04:24:48	5 your truck?
6 A. Okay.	6 A. Correct.		
7 Q. -- is there any particular day that you	7 Q. And when you say got there, you were		
8 know for sure that you went hunting?	8 doing water hunting that day from the boat?		
9 A. Any particular day? I -- in the range	9 A. Correct.		
04:23:00	10 of November?	04:24:58	10 Q. So you left the house somewhere in the
11 Q. Since November 9th.	11 4:00 o'clock hour?		
12 A. Since November? I could say I've gone	12 A. I would guess, yeah.		
13 recently. I wouldn't be able to recall the days.	13 Q. What time did you get to the Oswego		
14 Q. Since November 9th of 2017, are there	14 area?		
04:23:14	15 any dates that you can say definitively you did	04:25:06	15 A. I mean, I'd have to look at a
16 not go hunting?	16 sunrise/sunset calculator, but usually we arrive		
17 A. Definitely, no.	17 for duck hunting somewhere between a half hour to		
18 Q. Are there any documents that would	18 15 minutes before shooting time. Legal shooting		
19 refresh your recollection as to what days you did	19 time is a half hour before sunrise.		
04:23:28	20 or did not go hunting since November 9, 2017?	04:25:22	20 Q. So fair to say that you got to the area
21 A. Aside from the IPass records that you	21 where you're going to be hunting then 45 minutes		
22 have, none that come to mind.	22 to an hour before sunrise?		
23 Q. Who is Richard Bono?	23 A. Roughly, roughly.		
24 A. A hunting friend.	24 Q. When you got there, what did you do?		

34 (Pages 133 to 136)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/LJS 001670

		Page 137			Page 139
1	A. Same thing I described to you earlier		1	you're sitting down, I would say that the top	
2	which would be pull up by the boat, park, carry		2	level of the blind would come to here on me,	
3	the equipment or whoever carries the equipment. I		3	around my chin area (indicating).	
4	carry my own gun, my calls, and maybe a box of		4	Q. So you're holding your hands to your	
04:25:48	shells.	5	neck?		
6	Q. And you said it was the three of you.		6	A. Roughly to my chin area.	
7	Did you meet anybody that day?		7	Q. So your head is pretty much over the	
8	A. Yes.		8	top of the blind all the time?	
9	Q. Where did you meet him at?		9	A. I wouldn't say that because it's an	
04:25:54	10	A. At that location.	10	enclosed blind. So you're sitting in the middle	
11	Q. Who did you meet?		11	of it, and your point of view, obviously you see	
12	A. Roger Grivetti who you spoke of before		12	the top of the blind here so you can see	
13	and his son.		13	everything out in front of you (indicating).	
14	Q. Which son?		14	Q. I guess my question is: Unless you're	
04:26:02	15	A. Is it imperative to include a juvenile	15	ducking down into the boat for something, then	
16	in this?		16	your head and your eyes are over the top of the	
17	Q. How old is he?		17	blind most of the time?	
18	A. 12.		18	A. Correct. You wouldn't need to duck	
19	Q. The older son or younger son?		19	down for anything.	
04:26:12	20	A. Younger.	20	Q. Because you're hunting, you need your	
21	Q. You met them near the boat?		21	eyes to be able to see around the boat and in the	
22	A. Correct.		22	sky, right?	
23	Q. You guys got on the boat?		23	A. Right.	
24	A. Yep.		24	Q. So as you're hunting on November 20th,	
		Page 138			Page 140
1	Q. What time was it when you got on the		1	you're in the back of the boat that day?	
2	boat?		2	A. Yes.	
3	A. Like I said, probably roughly		3	Q. Where was Mr. Grivetti?	
4	15 minutes or so before shooting time.		4	A. Next to me.	
04:26:28	5	Q. So roughly 45 minutes or so before	5	Q. Where was his son?	
6	sunrise?		6	A. Next to him which is always the case.	
7	A. Right. Yeah, about there.		7	Q. And you said the other one was Roger?	
8	Q. You take -- what did you do next?		8	A. No. Richard.	
9	A. We pull up to a spot we decide to hunt		9	Q. Richard. I'm sorry.	
04:26:40	10	based on what the wind is that day and then	10	Where was Richard?	
11	basically everybody throws out the decoys, not me		11	A. Next to Roger.	
12	because I control where the boat is going. So all		12	Q. And where was Mr. Scavo?	
13	I'm doing is holding a switch and then everybody		13	A. At the other end of the boat, front end	
14	else is throwing out the decoys while I keep the		14	of the boat with his dog.	
04:26:54	15	boat steady with the switch.	15	Q. Did you move the boat around during	
16	Q. So you're driving the boat?		16	that period of time that you were hunting?	
17	A. That day, I was.		17	A. I'm confused.	
18	Q. From the front or from the back?		18	Q. How long were you hunting from the boat	
19	A. From the rear.		19	that day?	
04:27:02	20	Q. You said that the boat has a blind	20	A. I can't tell you. Maybe two, three	
21	built into it?		21	hours. I'm not sure.	
22	A. Yeah, permanent.		22	Q. What was your role during those two to	
23	Q. How tall is the blind?		23	three hours?	
24	A. It's kind like a goose pit, but if		24	A. During those two or three hours, I sat	

35 (Pages 137 to 140)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/JJS 001671

<p style="text-align: center;">Page 141</p> <p>1      on my end of the boat which is where the motor is      2      and looked out and looked in front of us to see if      3      there was any birds. If there were, I would call      4      at them. And then if there was any birds that      5      would decoy, we would shoot at them.</p> <p>6      Q. You yourself, you were hunting that      7      day, right?</p> <p>8      A. That day, I was, yes.</p> <p>9      Q. Anything unusual happen during those      10     two or three hours while you're hunting on the      11     water?</p> <p>12     A. During the two to three hours on the      13     water? No.</p> <p>14     Q. During those two to three hours on that      15     day, did you get any waterfowl?</p> <p>16     A. Yes.</p> <p>17     Q. How many?</p> <p>18     A. Not sure. I remember this part      19     distinctly that we did not get what we call a kill      20     limit. We didn't kill a limit that day. We were      21     just short which the limit would be four ducks --      22     or four mallard ducks per guy. So that would have      23     been 16 on that day; for myself, Roger, Rick, and      24     Roger's son. We were short of that.</p>	<p style="text-align: center;">Page 143</p> <p>1      Q. And so what happened when the      2      conservation officer approached you guys?</p> <p>3      A. We've dealt with this conservation      4      officer several times before. I mean, he's maybe      5      a 20, 25-year vet. He knows the gentleman who      6      used to own the land, and he passed away      7      unfortunately.</p> <p>8      Myself and Vito have had many      9      conversations with him over the years. He comes      10     and checks on us one or twice a year. Usually he      11     knows that we don't do anything that would even be      12     of questionable legality.</p> <p>13     And on that particular day, when he      14     first walked up, his first statement to us that I      15     remember was: Oh, wow, you got all the ducks      16     separated. I like that.</p> <p>17     In Illinois, if I have three ducks and      18     he has four ducks and you have three ducks,      19     they're all supposed to be separate. You can't      20     party hunt. So everybody has to have their own      21     birds.</p> <p>22     He checked us that day. He checked      23     that and went through the usual routine as to what      24     he checks us on.</p>
<p style="text-align: center;">Page 142</p> <p>1      Q. Who else was shooting that day?</p> <p>2      A. Myself, Roger, Rick, and Roger's son.</p> <p>3      Q. Did Mr. Scavo shoot that day?</p> <p>4      A. To my knowledge, no.</p> <p>5      Q. When you say "to your knowledge," what      6      do you mean?</p> <p>7      A. To what I was able to witness with my      8      own two eyes, no.</p> <p>9      MR. COOPER: Well, let me intervene. I      10     thought the reason that my client was      11     summoned here was because of an allegation      12     that Mr. Scavo discharged a firearm. I did      13     meet with my client to discuss this      14     interrogation and discuss his knowledge. So      15     that's the basis for his response.</p> <p>16     BY MR. FOWLER:</p> <p>17     Q. Did Mr. Scavo have possession of a      18     firearm on the boat that day?</p> <p>19     A. To my knowledge, no. To what I was      20     able to witness, no.</p> <p>21     Q. Then when you returned to the shore      22     that day, the group of you were approached by a      23     conservation officer, right?</p> <p>24     A. Yes.</p>	<p style="text-align: center;">Page 144</p> <p>1      Q. So as best you can recall, he walked      2      up, and he said: Oh, good, you got the ducks      3      separated. What's the next thing he said?</p> <p>4      A. He said: All right. Can I see      5      everybody's license, which is typical. Everybody      6      provided their license including Vito.</p> <p>7      At that point, he goes: Okay. Who's      8      got guns? And everybody -- which all the guns      9      were cased, unloaded. Everybody took their guns      10     out of their cases and he looked at each gun.</p> <p>11     He says: Okay. Now show me that the      12     gun can't hold more than three shells in the      13     tube -- or, I'm sorry, more than two shells in the      14     tube, because you're limited to three shells per      15     gun. You can't shoot any more than three for      16     waterfowl in Illinois, or I think federally.</p> <p>17     So you take one shell, two shells, and      18     then when you go to put the third one in, if you      19     have a plug in your gun which you're required to      20     by law, you can't. It's impossible.</p> <p>21     And he did that for all four of us that      22     had guns that day. He said: Okay. Can I see      23     your shells? So he looked at our shells because      24     all your shotgun shells are required to be</p>

36 (Pages 141 to 144)

L.A. Court Reporters, L.L.C.  
 312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/JJS 001672

	Page 145	Page 147
1	nontoxic and they're not.	1 I just saw a look in his eyes. So I
2	Then he said to me: Is this your boat?	2 approached -- when he walked back, I approached
3	I said: Yes, it is.	3 the conservation officer and I showed him my badge
4	He gets in the boat. He says: All	4 and stated to him: Hey, we're all law enforcement
04:33:42	5 right. I need to look at some stuff.	5 here. What's the conversation about? What's
6	He looked at some compartments, not	6 going on?
7	entirely sure what he was looking for, didn't find	7 And then at that point, he began his
8	anything that was pertinent or anything like that.	8 interview of me.
9	Then he said to me: Okay. There's	9 Q. Were you talking with him in the
04:33:52	10 five people on the boat. Do you have five	10 presence of all of the others?
11	lifejackets? Provided him that.	11 A. No. Individually.
12	Do you have a fire extinguisher on	12 Q. You and he walked off a ways just as he
13	board? I provided him that. Do you have a	13 had with Mr. Scavo?
14	trowelable device? I provided him that. And I	14 A. Correct.
04:34:04	15 believe he asked to see my boater's registration,	15 Q. Okay. During the time that you were
16	and I provided him that.	16 with the conservation officer, what did you say
17	That was the extent of the initial	17 and what did he say?
18	interaction with him.	18 A. Paraphrasing because, again, this was a
19	Q. You referred to Vito. Is that Mr.	19 while ago, but he asked me -- what did he say? He
04:34:14	20 Scavo?	20 says to me: Are you familiar with Mr. Scavo?
21	A. Yes.	21 I said: Yes. He's like a father to
22	Q. And what happened next?	22 me.
23	A. And next he had a private conversation	23 He goes: So you know his
24	with Vito after he checked everything.	24 circumstances?
	Page 146	Page 148
1	Q. When you say "private conversation"	1 And I said: Which is?
2	with Mr. Scavo, how did that take place?	2 That he can't possess a gun. Again,
3	A. He just stated: Hey, can I talk to you	3 I'm paraphrasing
4	over here?	4 I said something to the effect of:
04:34:34	5 They walked away, and myself, Roger,	5 Yeah, I'm definitely aware of that.
6	Rick, and Roger's son went about talking about	6 He gave me a look, a blank look, like:
7	either the day's hunt or whatever we were talking	7 Are you going to say that he didn't possess a gun
8	about.	8 today?
9	Q. Could you hear what was said between	9 And I said: Absolutely not. That was
04:34:42	10 the conservation officer and Mr. Scavo?	10 my belief that he didn't possess a gun that day.
11	A. No, I could not.	11 He stated to me that -- well, Mr. Scavo
12	Q. What happened after that -- or how long	12 stated to me for ten minutes, or however long the
13	did they talk?	13 time period was, that he possessed a gun.
14	A. Maybe ten minutes, something like that.	14 I said to him: That was your
04:34:52	15 Q. What happened after that ten minutes?	15 conversation with him. I don't know what he said
16	A. I observed Vito walking back towards me	16 to you, but if that did occur, and I don't believe
17	with kind of a dejected type of look and that	17 Mr. Scavo would put himself in that situation, I
18	bothered me because -- I mean, Vito's like a	18 didn't see it.
19	father to me. You asked me the extent of my	19 And he said to me: You didn't see it?
04:35:08	20 relationship with him and he's -- not that he's	20 You're in the boat with him.
21	blood, but he's the closest thing to it and we	21 And I said: Yeah, but I'm 15 feet to
22	share a lot with each other. I mean, it's not	22 his right.
23	like we're just hunting buddies. We spend time	23 And he said: You're 15 feet to his
24	together all the time.	24 right?

37 (Pages 145 to 148)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMD/LIS 001672

	Page 149	Page 151
	<p>1        I said: It's a 17-foot boat. I'm in      2        the back. He's two feet from the front. That's      3        15 feet.      4        He goes: Okay. And then he basically      04:37:10 5        stated to me: Are you sure you want to say what      6        you're saying?      7        And I said: That's what I observed. I      8        didn't observe anybody shoot a gun.      9        And to quantify what occurs during a      04:37:22 10      duck hunt, when birds come in, single bird or      11      multiple birds come in, one person – well, myself      12      and Vito will call. We'll blow call, or Roger      13      will, too. And one person calls the shot is which      14      is to mean that one person says: Okay. Now let's      04:37:38 15      shoot them.      16       So you come up – you know, somebody      17       will say: Let's shoot them. You come up, shoot,      18       and there could be – it's almost like      19       pandemonium. There's ducks going in every      04:37:48 20      direction.      21       When you shoot, you shoot your zone      22       which means basically you're shooting straight in      23       front of you, 45 degrees on either side, which      24       means you're always safe. You're not shooting</p>	<p>1        the duck's dead. That's the gist of it.      2        So when we shoot, my focus is only on      3        what I'm shooting and making sure I'm safe.      4        Q. We were talking about your conversation      04:39:22 5        with the conservation officer.      6        A. Correct.      7        Q. Is there anything else that you and he      8        said in that conversation?      9        A. Like I said, he stated to me,      04:39:28 10      paraphrasing: Is that what you want to go with?      11       And I stated: That's what I observed      12       and that's what I'm telling you.      13       He says: Okay. He moved on from me,      14       and that was the end of our interaction for the      04:39:40 15      day.      16       Q. Did you have any other conversation      17       with him after that?      18       A. After that, no.      19       Q. After that conversation with the      04:39:50 20      conservation officer, you were aware that the      21       conservation officer said that he saw Mr. Scavo      22       shooting that day?      23       A. He said that he believed he saw that.      24       Q. And you knew that that day, right?</p>
	Page 150	Page 152
	<p>1        over somebody's head. You're not shooting behind      2        your back or some stupid stuff. You're shooting      3        out in front of you in this little zone. So when      4        you come up and shoot, your focus is only on      04:38:12 5        this zone.      6        So then you shoot, then birds drop, and      7        your gun is empty after three shots. Typically      8        what happens if there's multiple birds, there's      9        going to be three, four, five dead birds and then      04:38:24 10      there's going to be a cripple. We call them a      11      cripple. That's terminology in the hunting world.      12      Basically it refers to a duck that's still alive      13      that's been downed, but state law requires you to      14      dispatch them immediately. And not only state      04:38:40 15      law, but it's for our own dog safety because if a      16      live duck gets out, you send a dog, the live duck      17      can evade a dog. It can dive. It can swim      18      faster. So the typical procedure would be: Live      19      duck, shoot them immediately.      04:38:54 20      This is – anybody that's ever duck      21      hunted over water, that's standard. If the duck's      22      on the water still alive, which we indicate it's      23      still alive by its head is still up, you keep      24      shooting until you have no more shells or until</p>	<p>1        A. I'm sorry?      2        Q. You knew that that day?      3        A. I knew what that day?      4        MR. COOPER: Objection, asked and      04:40:10 5        answered.      6        BY MR. FOWLER:      7        Q. You understood on November 20th that      8        the DNR officer believed that Mr. Scavo was      9        engaged in illegal conduct, right?      04:40:26 10      A. He believed that, yes, and he stated      11        that to me.      12        Q. So after that trip – strike that.      13        You're aware that as a police officer      14        for the Village of Melrose Park you have an      04:40:42 15        obligation to report to your supervisors any      16        interactions with law enforcement that could lead      17        to further action, right?      18        A. I was not aware of that because there's      19        no action that was pending against me to my      20        knowledge, nothing criminal on that day or any      21        questionable integrity on that day in my      22        estimation.      23        Q. You were aware that the conservation      24        officer didn't believe you, weren't you?</p>

38 (Pages 149 to 152)

L.A. Court Reporters, L.L.C.  
 312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/JJS 001674

	Page 153		Page 155
04:41:16	<p>1 A. I'm not aware of that. I think that he      2 wanted me to say whatever he wanted me to say, but      3 I'm not aware that -- I mean, he can't attest to      4 what my own two eyes saw, and he was -- the      5 position of where he was watching us, he couldn't      6 positively discern who anybody was.</p> <p>7 Q. He was challenging your statement when      8 you said you didn't see Mr. Scavo shoot, right?</p> <p>9 A. I would say that's a fair assessment.</p>	<p>04:43:16</p> <p>1 Kendall County. I'm a police officer in Cook      2 County. There's different regulations, different      3 SOPs, different levels of what an officer      4 determines to be his own -- what's the word I'm      5 looking for -- whether he wants to prosecute or      6 not, I mean, that's his decision.</p>	
04:41:30	<p>10 Q. Now, after that conversation with the [REDACTED]      11 conservation officer, did you report that [REDACTED]      12 communication to any of your supervisors at the [REDACTED]      13 Department?</p> <p>14 A. No, I did not. I didn't deem it      15 necessary.</p> <p>16 Once again, I don't believe that      17 anything I did was of questionable integrity or      18 illegality.</p> <p>19 Q. You were aware that that situation      20 could result in criminal prosecution against Mr.      21 Scavo, weren't you?</p> <p>22 A. I believe that if he thinks he saw him      23 shoot which he stated to me, I don't know what his      24 procedure is. We have our own procedures here.</p>	<p>04:43:28</p> <p>10 Q. On the next day, November 21st, did you      11 go hunting?</p> <p>12 A. I don't believe I did.</p> <p>13 Q. November 22nd, did you go? That would      14 have been the day before Thanksgiving, if that      15 helps you.</p> <p>16 A. Maybe. I'm not positive.</p> <p>17 Q. November 23rd, you went hunting, right?</p> <p>18 Thanksgiving Day?</p> <p>19 A. I can't remember, to be honest with      20 you. I know where I went for dinner. I don't      21 remember if I went hunting.</p> <p>22 Q. After the November 20th incident, are      23 there any days that you can identify as you sit      24 here today that you either did or did not go</p>	
04:42:00			
04:42:24	<p>1 He's in a totally different county with a totally      2 different jurisdiction with totally different      3 SOPs. So I don't know what his intentions were.      4 He didn't state that to me and I didn't ask him.</p> <p>5 Q. I didn't ask you any intentions. What      6 I asked was: You were aware that the situation      7 could result in criminal prosecution of Mr. Scavo,      8 weren't you?</p> <p>9 A. I wasn't aware that it could. I      10 mean --</p> <p>11 Q. You were not aware that it could or --</p> <p>12 A. Let me rephrase.</p> <p>13 I wasn't aware that the situation that      14 occurred was going to result in -- well, I don't      15 where it was going to go after that. I'm not --</p> <p>16 Q. I understand.</p> <p>17 A. I'm not the DNR officer. So it's out      18 of my hands.</p> <p>19 Q. But the question I asked you was:</p> <p>20 Could it result in prosecution?</p> <p>21 MR. COOPER: Objection, speculation.</p> <p>22 He's not DNR. He's not a lawyer.</p> <p>23 BY THE WITNESS:</p> <p>24 A. Again, like I said, it occurred in</p>	<p>04:43:54</p> <p>1 hunting?</p> <p>2 A. I could say I went yesterday.</p> <p>3 Q. Where did you go yesterday?</p> <p>4 A. Same place, not water, fields.</p> <p>04:44:42</p> <p>5 MR. FOWLER: All right. Give us a few      6 minutes.</p> <p>7 (WHEREUPON, a recess was had.)</p> <p>8 MR. FOWLER: Back on the record.</p> <p>9 BY MR. FOWLER:</p> <p>04:52:36</p> <p>10 Q. Is there anything else that you would      11 like the chief or deputy chief to take into      12 account as they're deciding what to do with      13 respect to the allegations against you?</p> <p>14 MR. COOPER: Boy, I wasn't expecting      15 that. I need two seconds.</p> <p>04:52:50</p> <p>16 (WHEREUPON, a brief recess was had.)</p> <p>17 MR. COOPER: I think it's in my      18 client's best interest not to say anything in      19 response to the last question.</p> <p>04:54:26</p> <p>20 MR. FOWLER: Is that so?</p> <p>21 MR. COOPER: And that's not to disobey      22 an order.</p> <p>23 BY MR. FOWLER:</p> <p>24 Q. Well, you're the one testifying, right,</p>	<p>156</p>

		Page 157			Page 159
1	rather than him?		1	that your client brought with him today and	
2	A. My statement would be I don't have		2	that you showed me earlier?	
3	anything further to add to this.		3	THE WITNESS: Right.	
4	MR. COOPER: You don't see that as		4	MR. COOPER: And there were a couple of	
04:54:40	disobeying an order?	04:56:10	5	pages which represent prior medical records.	
6	MR. FOWLER: I do not.		6	MR. FOWLER: And you, Mr. Cooper, are	
7	MR. COOPER: Okay. Now, what we did		7	going to retain possession of all of those	
8	talk about, as to the medical records you		8	documents?	
9	asked for --		9	MR. COOPER: Well, my client and I	
04:54:46	MR. FOWLER: Let me cover that with --	04:56:18	10	will, both. We share.	
11	MR. COOPER: Oh, sure.		11	MR. FOWLER: You're not going to lose	
12	MR. FOWLER: So as we talked about, I		12	them?	
13	am going to ask for his medical records. I'm		13	MR. COOPER: Well, let's hope not.	
14	going to ask for a medical release so that I		14	THE WITNESS: I picked a blue folder so	
04:54:56	can get the medical records. As a result of	04:56:26	15	it's very easy to remember.	
15	that, it is very possible that I may need to		16	MR. FOWLER: All right. So we are done	
16	recall him and ask him some more questions		17	for today.	
17	after I see those.		18	MR. COOPER: All right. I mean, here	
19	So the bottom line to that is I'm		19	is my sense: I would love to say we object	
04:55:06	not saying today that I'm done. I'm not	04:56:36	20	to the continuation of the interrogation	
20	going to make a decision on that until after		21	because the statute doesn't allow for that,	
21	I see those documents.		22	but I trust that when the Department	
23	I will send you a medical release		23	interrogates a police officer, it does so for	
24	in the next day or so, Chris.		24	reasonable reasons and that its lawyers won't	
		Page 158			Page 160
1	MR. COOPER: Okay. Do you want the		1	prolong the interrogation. So I trust you	
2	DuPage medical records that we have?		2	right now.	
3	MR. FOWLER: I assume that they'll be		3	MR. FOWLER: Excellent speech. Thank	
4	part of the complete medical records.		4	you.	
04:55:28	THE WITNESS: I believe so.	04:56:56	5	MR. COOPER: All right. The court	
5	MR. FOWLER: And if you want to send me		6	reporter wants to know and make sure that you	
6	something in terms of a protective order or a		7	gets paid, right? I understand.	
7	protective agreement --		8	THE REPORTER: Mr. Cooper, Mr. Fowler	
8	MR. COOPER: Right.		9	is ordering the transcript to be transcribed.	
9	MR. FOWLER: -- I'm happy to look at	04:57:10	10	Would you like a copy?	
04:55:34	it. I will represent to you that obviously		11	MR. COOPER: I do want a copy. We'll	
10	whatever I receive will be kept confidential,		12	get that on the record.	
11	but if you want to send me something, I'm		13	(WHEREUPON, the interrogation was	
12	happy to look at it.		14	concluded at 4:57 p.m.)	
13	MR. COOPER: I can write something up.		15		
14	All right. So I will be holding		16		
04:55:44	the blue folder with a couple pages from the		17		
15	medical records, and we both agree that I'm		18		
16	going to take this with me and that there		19		
17	will not be an allegation that my client		20		
18	disobeyed an order.		21		
19	MR. FOWLER: And just to be completely		22		
20	clear, when you're referring to the "blue		23		
21	folder," you're referring to the documents		24		

40 (Pages 157 to 160)

L.A. Court Reporters, L.L.C.  
312-419-9292

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/JJS 001676

# **EXHIBIT 42**

Natalie  
Ex 3



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

To: LT Mark Rieger #08

From: OFC Scatchell #23

Date: 07 APR 18

Reference: Grievance

At this time, I, Officer John A. Scatchell #23, submit to my immediate supervisors certain grievable issues. This is in compliance with Step 1 of the Grievance process pursuant to Article 4 (the Grievance and Arbitration Section) of the Collective Bargaining Agreement ("CBA"). Article 4 states in relevant part,

[a]ny dispute over meaning or application of the terms of this Agreement shall be subject to binding arbitration. There shall be no strikes while this Agreement is in effect.

Grievable issues are only those issues relevant to the interpretation of this Collective Bargaining Agreement.

In interpreting and applying this Agreement, the Association, the Employer, and the Arbitrator shall consider the terms of this Agreement in light of past practice of the parties over the duration of their collective bargaining relationship.

At this time, I am grieving the following issues:

1. In the course of my employment, I received certain updated Melrose Park PD Standard Operating Procedures ("SOP"). I received these SOP's in the form of a CD-ROM. In exchange for the aforementioned CD-ROM, I was ordered to sign and date an acknowledgement that I received a copy and understood the contents. This was without ever having had an opportunity to view the contents of the CD-ROM or an opportunity to review a paper version of the updated SOP's. Furthermore, upon reviewing the contents of the SOP's in both CD-ROM and paper form, there were no tracked changes of a nearly 500-page document. Several changes in the SOP's

1 North Broadway • Melrose Park, Illinois 60160 • (708) 344-8409

[www.mppd.com](http://www.mppd.com)

1)



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

violate the CBA and established past practices of the MPPD.

2. I was unilaterally issued an order that imposed restrictions on my pre-approved vacation pick. This pick was my first choice of vacation pick and covered the dates of December 7th-20<sup>th</sup>, 2017. Such changes violated established past practices and prevailing rights as set forth in the CBA (*See Holidays/Vacations, Personal Days, and Sick Leave Sections of the CBA*).
3. I was not compensated during the 2017 calendar year for my birthday (*See Personal Days Section of the CBA*).
4. My status was changed in the computer scheduling system and on printed copies of the MPPD work schedule for the week of December 7<sup>th</sup>, 2017. Someone with access to the system altered my vacation days (12/19/2017 and 12/20/2017). Without my knowledge or consent, these dates were changed from vacation days to sick days ("injured"). Such changes violated established past practices and prevailing rights set forth in the CBA (*See Holidays/Vacations Section of the CBA*).
5. I was ordered to sign a medical release on two (2) occasions, with specific deadlines. This order violated my constitutional rights, my right to privacy, my rights pursuant to the Family Medical Leave Act, past practices of the Melrose Park Police Department, and the CBA. I provided doctors notes as requested. Instead of requesting a physician illness certification, that would certify the seriousness and parameters of my injury. I was ordered to sign an expansive release requiring that I authorize MPPD to obtain an overly broad array of medical disclosures that are not relevant to their investigation.
6. The CBA guarantees equal protection and uniform application of disciplinary matters. This department has violated this protection by applying discipline, investigation, and punishment disproportionately to certain officers/supervisors. The result is unjustified disparate impact and disparate treatment of certain officers.

1 North Broadway • Melrose Park, Illinois 60160 • (708) 344-8409

[www.mppd.com](http://www.mppd.com)



**MELROSE PARK POLICE DEPARTMENT**

**Sam C. Pitassi • Director of Police**

7. MPPD illegally and without justification acquired personal information on my mother's iPass transponder. This was done in an attempt to use the ill-gotten information against me in disciplinary matters. I do not know the extent of these records or if these were the only records that were unlawfully accessed.

By this grievance, pursuant to the CBA, I request a meet and confer (discussion), as to the foregoing, with my immediate supervisor. My goal is to attempt to resolve the issue with my immediate supervisor as outlined in the CBA.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Scatchell Jr." followed by the number "23".  
\_\_\_\_\_  
OFC John Scatchell Jr. #23

CC SGT Cacciatore #15



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

TO: Ofc. John Scatchell #23  
FR: Lt. Mark G. Rieger #8  
DA: April 10<sup>th</sup>, 2018  
RE: Grievance

Ofc. Scatchell,

Thank you for responding to my inquiry regarding whether or not you had a grievance to initiate. I understood your response to mean that you had more than one. I therefore requested that you provide it to me in writing, so that I could clearly understand those grievable issues. You later provided me the attached (3) page document.

Having read your documents, the following paragraphs are my response;

- 1.) I observed that your reference of Article 4, specifically 4.1- Grievable Issues, failed to include the last assertion of that paragraph which states, “General Village Employment Policies, Management Rights and S.O.P. are not grievable issues.”
- 2.) I interpret your listed “1” issue to state that several changes in the SOP’s violate the CBA and established past practices of the MPPD. Having concluded that this is your grievance, you failed to provide which particular changes in the SOP you are referring to that violate our CBA and I fail to recognize what particular relevance they have to our CBA.
- 3.) I interpret your listed “2” issue to state that you were unilaterally issued an order that imposed restrictions on your pre-approved vacation pick. I fail to recognize how the particular restriction is relevant to Article 5 of our CBA.



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

- 4.) I interpret your listed “3” issue to state that you were not compensated during the 2017 calendar year for your birthday. I am not certain if you mean this to say that you were not paid, or that you did not receive your birthday off. Either meaning, I cannot answer for that issue at this time.
- 5.) I interpret your listed “4” issue to state that your vacation days were changed without your consent. I fail to recognize how this particular change is relevant to Article 5 of our CBA.
- 6.) I interpret your listed “5” issue to state that you were ordered to sign a medical release on (2) occasions and that this order violated the CBA. I fail to recognize how this order is relevant to any Article of our CBA.
- 7.) I interpret your listed “6” issue to state that your protection and uniform application of disciplinary matters has been violated by applying discipline, investigation, and punishment. I fail to recognize any discipline posed against you at this time, nor grievable relevance of an ‘investigation’ to any Article of our CBA.
- 8.) I interpret your listed “7” issue to state that your mother’s personal iPass information was unlawfully acquired by the MPPD and was attempted to be used for means of discipline against you. I fail to recognize your mother as a member of the Lodge and any disciplinary matters taken against you at this time, nor its grievable relevance to our CBA.

I conclude that the majority of these issues, excluding only your 3rd, do not have grievable relevance to our CBA, as I interpret them, and I therefore cannot identify what remedies I can instill in resolving these issues.

Respectfully,

Lt. Mark G. Rieger

Attachment (1)

1 North Broadway • Melrose Park, Illinois 60160 • (708) 344-8409

[www.mppd.com](http://www.mppd.com)



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

TO: Ofc. John Scatchell #23  
FR: Lt. Mark G. Rieger #8  
DA: April 18<sup>th</sup>, 2018  
RE: Grievance

Ofc. Scatchell,

I have responded to your grievance issues in writing, having concluded that I could not identify any remedies or resolve to those issues which are not relevant to our CBA; the issues are absent any specific requested relief. You later communicated to me that my response was unacceptable. I then immediately communicated to you that your grievance issues need to proceed to the Chief; this is the Second Step of our CBA. I have provided the Chief copies of each of our letters. I now encourage you to accelerate your attempt to resolve your grievable issues with the Chief.

I will remain available to you in person at work, by work email and work telephone, extension 6113.

Respectfully,

Lt. Mark G. Rieger

CC: Director Sam C. Pitassi



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

To: Director Pitassi

From: OFC Scatchell #23

Date: May 7<sup>th</sup>, 2018

Reference: Grievance Supplement

Pursuant to step 2 of the Grievance process outlined in the Collective Bargaining Agreement ("CBA"), I contacted you directly to address my grievance. You stated in a phone conversation that I would have to submit in writing the applicable sections of the CBA that were relevant to each potentially grievable issue. Below you will find my initial grievance statements (numbers 1-7) with the corresponding CBA sections listed underneath each. Additionally, as instructed by the lodge, I have added remedies that I would see fit to resolve this grievance and avoid arbitration.

At this time, I am grieving the following issues:

1. The practice of Receiving revised SOP's on a Disk, without tracked changes, and ordered to sign an Acknowledgement without the Opportunity to Review before Signing:
  - a) **Original Grievance:** In the course of my employment, I received specific updated Melrose Park PD Standard Operating Procedures ("SOP"). I received these SOPs in the form of a CD-ROM. In exchange for the CD-ROM, I was ordered to sign and date an acknowledgment that I received a copy and understood the contents without ever having had an opportunity to view the contents of the CD-ROM or a chance to review a paper version of the updated SOP's. Furthermore, upon examining the contents of the SOP's in both CD-ROM and paper form, there were no tracked changes of a nearly 500-page document. Several changes in the SOP's violate the CBA and established past practices of the MPPD.



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

- b) Upon information and belief, I received revised SOPs for 2013, 2014, 2015, 2016, and 2017. None of these signed Acknowledgements appear in my Personnel File.
- c) **CBA section:** The entire CBA since the SOP's govern the conditions of our employment and we could face discipline for violating any SOP.

d) **Remedy:**

- i. A copy of any new or notable changes to each volume of the SOP's should be provided in both paper and CD-ROM form in the spirit of transparency and open candor. This remedy would put the officers on notice of any changes, so they would not be unwittingly violating the newly added SOP's.
- ii. Count X - "Association with a Known Felon" should be dismissed because the language of Count X was not added to the MPPD SOP's until the 2016 revision. In fact, it appears that the entire scope of how to administer and handle discipline changed from 2015 – 2016 versions of the SOP's.  
Accordingly, the BOFPC's charge against me for "Association with a Known Felon" should be dismissed.
- iii. I have worked at the MPPD for over five (5) years. During this time, you and many others knew about my relationship with Vito Scavo, the former Melrose Park Police Chief. I am accused of associating with him, yet his name was still attached to relevant documents/orders posted in our department as recently as February 2018, nearly two months after I received the above-mentioned charges. (See: attached building evacuation plan document). Alternatively, Count X should be dropped based on the doctrine of waiver.

2. **Original Grievance:** I was unilaterally issued an order that imposed restrictions on my pre-approved vacation pick. This pick was my first choice of vacation pick and covered the dates of December 7th-20<sup>th</sup>, 2017. Such changes violated established past practices and prevailing rights as outlined in the CBA.



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

a) **CBA section:** See Sections, 1.1, 2.1, 6.1-6.3 Holidays/Vacations, Personal Days, and Sick Leave Sections of the CBA.

b) **Remedy:**

- i. This order against travel during a pre-approved vacation pick allowed charges to be brought against me for "Disobeying Lawful Order Regarding Time Off to Travel during a Medical leave." I was well within my rights to travel on the dates of 12/17/17 through 12/22/17. My below listed birthday compensation (see: Grievance Issue #3) and the two vacation days that were removed would have covered the entirety of my trip. Additionally, I brought extra money with on the trip, to ensure that emergency travel would be possible if ordered by the PD.
- ii. Count VII - "Disobeying Lawful Order Regarding Time Off to Travel during Medical leave" should be dropped immediately and I should be compensated for the two vacation days that were wrongfully revoked.

3. **Original Grievance:** I was not compensated for the 2017 calendar year for my birthday (See Personal Days Section of the CBA).

a) **CBA section:** 5.2

b) **Remedy:** I receive my 2017 birthday compensation during the 2018 calendar year.

4. **Original Grievance:** My status was changed in the computer scheduling system and on printed copies of the MPPD work schedule for the week of December 7<sup>th</sup>, 2017. Someone with access to the system altered my vacation days (12/19/2017 and 12/20/2017). Without my knowledge or consent, these dates were changed from vacation days to sick days ("injured"). Such changes violated established past practices and general rights outlined in the CBA.

a) **CBA section:** See Holidays/Vacations Section of the CBA Section 5.1.



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

b) Remedy: See: Remedy proposed in Grievance Issue #2 section b(ii).

5. Original Grievance: I was ordered to sign a medical release on two (2) occasions, with specific deadlines. This order violated my constitutional rights, my right to privacy, my rights according to the Family Medical Leave Act, past practices of the Melrose Park Police Department, and the CBA. I provided doctors notes as requested. Instead of requesting a physician illness certification, that would certify the seriousness and parameters of my injury, I was ordered to sign an expansive release requiring that I authorize MPPD to obtain an overly broad array of medical disclosures that are not relevant to their investigation

a) CBA Section: 5.3

b) Remedy:

i. I spoke with lodge representatives about the above-stated issue in February 2018 and they, in turn, spoke with you and the Village's attorney (Fowler). Fowler and my attorneys then spoke and seemingly agreed that my attorneys would draft a revised release, which would be decided upon by the Village's attorneys. When this release was drafted and signed, the Village's attorneys then submitted that release to a medical provider to attempt to acquire my pertinent medical records. When the medical provider did not disclose those records to the Village, I was further charged with "Disobeying Lawful Order Regarding Medical Records." The documents not being disclosed was solely the fault of the Village's attorneys, who failed to adhere to simple rules/templates outlined by the medical provider to acquire such documents. Additionally, in the charging document I was accused of interfering with the production of the medical records. The Villages attorney's put me in a "lose-lose" situation by asking my attorneys to have me contact my medical provider to ask why the documents had not yet been furnished. This occurred through phone correspondence on or about March 13<sup>th</sup>, 2018. I did not call my medical provider out of fear that my contact alone would constitute interference.



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

My attorneys advised the Village's attorneys to have one of their employees reach out to the medical provider. I believe that no matter how I handled this request by the Village's attorneys, I would have been charged with the above-listed charge.

- ii. Count VI – “Disobeying Lawful Order Regarding Medical Records”  
should be dropped immediately.
- 6. **Original Grievance:** The CBA guarantees equal protection and uniform application of disciplinary matters. This department has violated this protection by applying discipline, investigation, and punishment disproportionately to certain officers/supervisors. The result is unjustified disparate impact and disparate treatment of certain officers.
  - a) **CBA section:** 1.1, 2.1, and 2.2
  - b) **Remedy:** There are only two remedies that I see fit. First, discipline is applied uniformly and proportionate to the charges brought. Additionally, I am entitled to a fair and impartial tribunal. I only wish to be treated fairly. Before December 8, 2017, I was never disciplined. In fact, I have never been issued a verbal or written warning. To my knowledge, only one other officer has faced a formal interrogation/charges for disciplinary matters not relating to residency under this administration. This is despite the fact that far more egregious acts/investigations were conducted within the department ranks and no charges were brought. The fact that the first step in perceived misconduct is to interrogate, charge, and move to terminate shows unjust and retaliatory action by the investigating bodies involved (you and Deputy Chief Castellan). I believe this is on account of your adverse relationships with my father, LT. John J Scatchell, as well as your former Chief, Vito R. Scavo. Secondly, my proposed remedy is to dismiss all of the charges against me, as this has been a fishing expedition and a witch hunt from day one.
- 7. **Original Grievance:** MPPD illegally and without justification acquired personal information on my mother's iPass transponder. This was done in an attempt to use the ill-gotten information against me in disciplinary matters. I do not know the extent of these records or if these were the only records that were unlawfully accessed.



**MELROSE PARK POLICE DEPARTMENT**

**Sam C. Pitassi • Director of Police**

- a) **CBA section:** 1.1, 2.1, and 2.2
- b) **Remedy:** The illegally obtained "evidence" be excluded or suppressed, and the subsequent charges relating said illegally obtained "evidence" be dismissed.

By this grievance, according to the CBA, I request a meet and confer (discussion), as to the foregoing, with you, Director Pitassi. My goal is to attempt to resolve the issue with you, Director Pitassi, as outlined in the CBA.

Respectfully submitted,



OFC John Scatchell Jr. #23



**Ofc Scatchell grievance**

1 message

John Scatchell Jr <jscatchelljr@melroseparkpd.com>  
Reply-To: jscatchelljr@melroseparkpd.com  
To: mriege@melroseparkpd.com, gcacciatore@melroseparkpd.com

Mon, May 7, 2018 at 2:50 AM

Hello Lt. and Sgt., I am submitting this grievance to you both per my conversation with Sgt Cacciatore on 06 MAY 18. I have also left the original signed copy of this document on your desk in the supervisor's office. Thank you for your time and consideration in this matter.

Regards,

Officer Scatchell #23



(?ui=2&ik=d428fd1a56&view=att&th=16339951e5d96515&attid=0.1&disp=attd&safe=1&zv) **DOC452.PDF**  
86K



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

To: LT Mark Rieger #08

From: OFC Scatchell #23

Date: 06 MAY 18

Reference: Grievance

At this time, I, Officer John A. Scatchell #23, submit to my immediate supervisors, a grievable issue. This is in compliance with Step 1 of the Grievance process and pursuant to Article 4 (the Grievance and Arbitration Section) of the Melrose Park Police Department's Collective Bargaining Agreement ("CBA"), which states in relevant part:

Any dispute over meaning or application of the terms of this Agreement shall be grievable and shall be subject to binding arbitration as specified in this Article. There shall be no strikes while this Agreement is in effect. Grievable issues are only those issues relevant to the interpretation of this Collective Bargaining Agreement. (Sec. 4.1).

Section 5.3 of the MPPD CBA outlines the sick leave policy by stating that:

an employee who is sick for more than three (3) consecutive sick days, as a result of illness or a non-duty injury, may apply for extended leave by filling out a completed Extended Leave Request Attending Physician's Statement (Form 5.3b) and an Employee Medical Certification Release (Form 5.3b1). *See 2014 CBA § 5.3 (b)* at 5.

An officer who is placed on sick leave as a result of an injury or illness contracted in the line of duty shall be entitled to full pay for one (1) year. An officer, who is placed on sick leave as a result of any other disability, except that resulting from an injury incurred in the course of other employment, shall be entitled to full pay for six (6) months ... *See 2014 CBA § 5.3 (b)* at 5.

When the employee returns to work, he or she will complete an Absence Due to Short Illness Form (Form 5.3a). This form will be approved by the employee's supervisor and forwarded to the Records Unit. *See 2014 CBA § 5.3 (b)* at 1.

A three-panel Review Board shall oversee the application of the Sick Leave Policy specified in the foregoing subsection, provided that the Review Board shall not inquire into any particular case until the officer has been on sick leave for at least one (1) month. (Emphasis added) *See 2014 CBA § 5.3 (c).*

1 North Broadway • Melrose Park, Illinois 60160 • (708) 344-8409

[www.mppd.com](http://www.mppd.com)



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

Upon information and belief, no Review Board convened to determine that my injury had violated the sick leave policy. I received no notice that such a Board was reviewing my claim and no such board requested more information from my treating physicians or me. I began my sick leave on November 9<sup>th</sup>, 2017. I was never given or ordered to submit the medical certification form or any Family Medical Leave Act notices.

Instead, the Statement of Charges against me allege that on or about November 13, 2017, Deputy Chief Castellan received an “anonymous report” that I was allegedly violating the Sick Leave policy. Upon further information and belief, on or about November 14, 2017, Deputy Chief Castellan began his own investigation by hiring an “experienced police officer” to begin surveilling me. This surveillance “was frequently conducted over the next month.” This was only four (4) days into my sick leave.

Furthermore, an anonymous tip without anything more is not the proper basis for probable cause. It is a direct violation of Section 3.8 (b) of the Uniform Peace Officers’ Disciplinary Act which states: “Anyone filing a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit.” See (50 ILCS 725).

On or about December 7, 2017, I began my department approved vacation. At that point, I was on sick leave for approximately 28 days. I was not scheduled to return to work until 12/21/17. The next day, I was notified that I was being formally investigated for allegedly violating the sick leave policy by Deputy Chief Castellan.

According to the December 8<sup>th</sup>, 2017 notice of interrogation/formal investigation, Director Pitassi and Deputy Chief Castellan are listed as the sole investigators for the MPPD. Therefore, Director Pitassi and Deputy Chief Castellan violated section 5.3 (c) of the 2014-2017 CBA by deviating from the process outlined pursuant to the CBA.

By this grievance, and pursuant to the CBA, I request a meet and confer (discussion), as to the foregoing, with my immediate supervisor. My goal is to attempt to resolve the issue with my immediate supervisor as outlined in the CBA.

Bearing this in mind, an “anonymous report” to Deputy Chief Castellan, as the lone reason for conducting an investigation, albeit an improper investigation, is not valid whatsoever. No sworn affidavits have ever been mentioned or brought up to date to back up this “anonymous report” and therefore the whole investigation should be deemed improper and should be stricken entirely. Formally, I move that the following remedy of a dismissal of the Sick Leave Abuse charges against me be supplemented by a dismissal of all subsequent charges that emerged from this improper investigation (“fruit of the poisonous tree.”)

1 North Broadway • Melrose Park, Illinois 60160 • (708) 344-8409

[www.mppd.com](http://www.mppd.com)



**MELROSE PARK POLICE DEPARTMENT**

**Sam C. Pitassi • Director of Police**

Respectfully submitted,

OFC John Scatchell Jr. #23

CC SGT Cacciato #15

**1 North Broadway • Melrose Park, Illinois 60160 • (708) 344-8409  
www.mppd.com**

14



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

TO: Ofc. John Scatchell #23  
FR: Director Sam Pitassi  
DA: May 14, 2018  
RE: Grievance

Ofc. Scatchell,

I am responding to your May 7<sup>th</sup> Memo to me concerning your apparent desire to advance your April 7, 2018 Grievance to Step 2 of the Grievance process. Under Section 4.3 of the CBA, if you were not satisfied by your supervisor's response, you had five days to "proceed to the second step." The CBA provides further that "[t]he time limits set forth in this Article may be extended for reasonable periods only if an aggrieved Officer is unavailable to participate in the grievance process and such participation would materially assist in settlement."

Your supervisor responded initially on April 9, 2018, and on April 18, 2018, your supervisor notified you, in writing, that you needed to advance the grievance to Step 2 if you wished to pursue it further. You have not claimed that you were "unavailable to participate in the grievance process" and so by waiting until May 7, your "grievance" is now untimely and it is accordingly denied on that basis.

Because your grievance is untimely, I have no obligation to address the substance, but even if I did, it would not change the result – I would deny your grievance on the substance as well, and I write here to explain my reasoning both to you and to the FOP.

1. Item 1 of your "Grievance Supplement" challenges the distribution and content of the SOPs. Section 4.1 of the CBA provides that "Grievable issues are only those issues relevant to the interpretation of this Collective Bargaining Agreement. General Village Employment Policies, Management Rights and S.O.P. are not grievable issues." Because your grievance relates to SOPs, which is specifically excluded from the grievance process, and because distribution and content of the SOPs are not part of the CBA and therefore cannot be "relevant to the interpretation of this" CBA, the issue you raise is not grievable, and was therefore properly denied by Lt. Rieger.



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

In addition, I note that the relief you seek regarding this issue is dismissal of one of the Counts in the Charges against you now pending before the Board of Fire and Police Commissioners ("BOFPC"). Chapter VI, Section 2(g) of the BOFPC's Rules provide that "objections to the sufficiency of written charges must be filed or made prior to or at the hearing before the Board." A grievance is not the proper venue. (I note that this same issue applies to your points 2, 4, 5, 6 and 7.)

2. Item 2 in your "Grievance Supplement" relates to vacation during the period of December 7-20, 2017. First, simply picking vacation dates does not guarantee that those dates may be taken off. For example, in your case, you used some of the time available during the year and so it was not available as "vacation" during the December 7-20 period. Second, you claimed to have incurred an exacerbation of a work-related injury, and it was therefore entirely appropriate for your supervisors to insist that you comply with medical restrictions. Finally, Lt. Rieger's response was entirely correct – you have received the benefit of your holidays and vacation days and so your "grievance" does not involve the interpretation of the CBA and the provisions you cited in your Memo have nothing to do with this issue.

3. Item 3 claims that you were not compensated in 2017 for your birthday. We have not been able to locate any records where you sought to use your birthday in 2017, and our practice has been that it must be requested, and if not, it is waived. If you present documents showing that you, in fact, requested to use your 2017 birthday day, please send me copies and I will consider the issue further. Otherwise, this aspect of the grievance was properly denied.

4. Item 4 claims that the "computer scheduling system" was changed concerning your schedule on 12/19/17 and 12/20/17 and you claim that this "violated established past practices and general rights outlined in the CBA." I disagree. Management must have the ability to modify the schedule based upon actual usage of time due and what remains available. Moreover, because the practice does not violate a specific provision of the CBA, it is not grievable and was therefore properly denied by Lt. Rieger. In any event, the issue is moot because I am not pursuing charges against you for not reporting for duty on those dates.



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

5. Item 5 complains about being required to sign a medical release, citing Section 5.3 of the CBA. The issue regarding substantiation of the need for leave is not addressed in Section 5.3, so there is nothing there to "interpret" and it was therefore properly denied by Lt. Rieger. Moreover, because you claimed that the absence was due to an exacerbation of a work-related injury, and because the injury itself is doubtful based upon your activities during that period, the Village is entitled to more information than what you provided.

6. Item 6 seeks to grieve the imposition of discipline against you, but this issue is premature in that you have not yet been subjected to discipline, and Lt. Rieger therefore properly denied this issue as well.

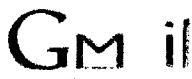
7. Finally, item 7 complains about our acquisition of your mother's IPASS information. Here again, nothing about this issue requires the interpretation of the CBA and Lt. Rieger therefore properly denied this issue as not grievable.

Because your "Grievance Supplement" is untimely, and also because none of the issues you raise have any merit whatsoever, I do not think that it would be a productive use of time to discuss them in person and therefore I will not schedule a meeting with you concerning these issues.

Director of Police

A handwritten signature in black ink, appearing to read "Sam C. Pitassi".

Sam C. Pitassi



**Scatchell Grievance files**

1 message

**John Scatchell Jr** <jscatchelljr@melroseparkpd.com>  
Reply-To: jscatchelljr@melroseparkpd.com  
To: mvfoplodge19@gmail.com

Tue, May 15, 2018 at 5:24 PM

FOP Lodge 19,

Attached are the files in chronological order as they pertain to each grievance document.

Initial Grievance (4/7/18)

Rieger Response (4/10/18)

Initial Grievance Supplement to move to Step 2 (5/7/18)

Evacuation Plan document attached to above Supplement (5/7/18)

Director's Response to Supplement (5/14/18)

Second Grievance (5/7/14)

I don't believe the application of the "5 day" allotment in the CBA that Director Pitassi refers to in his response applies to me, but rather my immediate supervisor. LT Rieger responded within the 5 days, that is not contested. I do not believe I was bound by any 5 day timeline to advance the grievance to step 2. Director Pitassi responded within the 10 days allotted to him, that also is not contested.

Additionally in his response, Director Pitassi cites outdated Board of Police and Fire Commissioners statutes as his reason to not recognize my proposed remedies. I am not asking anything of the Board of Police and Fire in any of my documents. I am asking Director Pitassi, who has been referred to in all Department issued documents as one of the investigating bodies into my situation along with Deputy Chief Castellan. My stance is that, as investigator, he can drop charges at any time and that does not relate to the BOFPC.

Regarding the status of my second grievance, to my knowledge it is at Step 2. I spoke with LT Rieger on Today's date and he stated that the issue/document had been presented to Director Pitassi. On May 12th, I explained to LT Rieger that I do not expect him to reasonably be able to resolve this issue and he agreed to forward it to the Director for Step 2. When a response is received regarding that grievance, I will provide it to you ASAP. I view my proposed remedy in the second grievance in the same light as the first grievance. I am asking Director Pitassi as the lead or one of the investigating bodies to drop the appropriate charge(s) against me. This is not a request to the BOFPC.

I have also attached the following department issued documents:

Notice of Interrogation (12/08/17)

Notice of Interrogation 2 (12/20/17)

Statement of Charges (03/27/18) - note my council did not receive this until 04/04/18

Notice of Hearing (04/03/18) - also received on 04/04/18

Thank you for your time and consideration in this matter,

Ofc. John A. Scatchell #23

10 attachments

20



**Evacuation Plan.JPG**  
464K

(?ui=2&ik=d428fd1a56&view=att&th=16365e8a6ad1717a&attid=0.4&disp=inline&safe=1&zw)

[Initial Grievance 07 APR 18.pdf](#) 103K  
(?ui=2&ik=d428fd1a56&view=att&th=16365e8a6ad1717a&attid=0.1&disp=attd&safe=1&zw)

[Rieger Response 10 APR 18.pdf](#) 709K  
(?ui=2&ik=d428fd1a56&view=att&th=16365e8a6ad1717a&attid=0.2&disp=attd&safe=1&zw)

[Grievance Supp 07 MAY 18.PDF](#) 169K  
(?ui=2&ik=d428fd1a56&view=att&th=16365e8a6ad1717a&attid=0.3&disp=attd&safe=1&zw)

[Director Response 14 MAY 18.pdf](#) 1967K  
(?ui=2&ik=d428fd1a56&view=att&th=16365e8a6ad1717a&attid=0.5&disp=attd&safe=1&zw)

[Second Grievance 2 07 MAY 18.PDF](#) 86K  
(?ui=2&ik=d428fd1a56&view=att&th=16365e8a6ad1717a&attid=0.6&disp=attd&safe=1&zw)

[Notice of Interrogation 08 DEC 17.pdf](#) 98K  
(?ui=2&ik=d428fd1a56&view=att&th=16365e8a6ad1717a&attid=0.7&disp=attd&safe=1&zw)

[Notice of Interrogation 20 DEC 17.pdf](#) 108K  
(?ui=2&ik=d428fd1a56&view=att&th=16365e8a6ad1717a&attid=0.8&disp=attd&safe=1&zw)

[Statement of Charges 27 MAR 18.pdf](#) 494K  
(?ui=2&ik=d428fd1a56&view=att&th=16365e8a6ad1717a&attid=0.9&disp=attd&safe=1&zw)

[Notice of Hearing 03 APR 18.pdf](#) 641K  
(?ui=2&ik=d428fd1a56&view=att&th=16365e8a6ad1717a&attid=0.10&disp=attd&safe=1&zw)



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

TO: Ofc. John Scatchell #23  
FROM: Director Sam C. Pitassi  
DATE: May 24, 2018  
RE: May 7<sup>th</sup> 2018 Sick Leave Policy Grievance

Ofc. Scatchell,

I am responding to your May 6<sup>th</sup> Grievance Memo (sent by email May 7<sup>th</sup>), concerning Section 5.3 of the CBA and your contention that the Charges against you violate that provision. Although the Grievance was directed to your Supervisors, I am responding because the Grievance challenges my action in issuing the Charges against you.

As a preliminary matter, I consider your Grievance to be untimely. You were aware of the investigation concerning your abuse of sick time as of December 8, 2017, your sick leave ended on January 9, 2018, and the Charges were issued on March 27, 2018. Your Grievance, submitted six months after becoming aware of the investigation, 11 weeks after you returned from sick leave and six weeks after the Charges were issued against you, is therefore untimely.

Wholly aside from the matter of being untimely, your Grievance is substantively deficient.

First, the Grievance purports to rely upon the terms of the “2014 CBA §5.3”. That CBA expired on December 31, 2017, more than four months before your Grievance was submitted. (I also note that much of the language you “quoted” was not contained in the 2014 CBA.)

Second, the current agreement between the Village and your Union provides for a Review Board mechanism only when the Officer applies for a “Long-Term Leave” and the Review Board then has “jurisdiction over applications for Long-Term Leave and shall render a decision whether to grant or deny the application...” (CBA §5.3(d)). You did not apply for an Extended Leave pursuant to the terms of the 2018 CBA and, therefore, the Review Board mechanism you rely upon in your Grievance did not apply to your absence.

Next, even if the 2014 CBA applied here, and it does not, the Review Board’s role was to consider the duration of the leave. The Charges filed against you did not relate to the duration of the leave. Instead, the Charges against you include Count I, based upon



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

MPPD's Policy Manual Rule 340.5.5(c) which prohibits abuse of leave privileges and Section 1014.2, which provides, "Employees on sick leave shall not... participate in any sport, hobby, recreational or other activity which may impede recovery from the injury or illness." Your Doctor had ordered you to "rest at home" but you disregarded that limitation and engaged in a "sport, hobby, recreational or other activity" on a frequent basis during your medical leave. The language of the CBA simply does not apply your misconduct during sick leave.

Moreover, this result is fully consistent with both the 2014 and 2018 CBAs which expressly provide that "General Village Employment Policies, Management Rights and S.O.P. are not grievable issues." (See CBA §4.1)

Finally, your Grievance complains about the fact that an investigation was initiated based upon an anonymous report, referring to the Uniform Peace Officer's Disciplinary Act. That Act does not require a sworn complaint before the initiation of an internal investigation. More to the point though, pursuant to §4.1 of the CBA, "Grievable issues are only those issues relevant to the interpretation of [the] Collective Bargaining Agreement." Because there is nothing in the CBA concerning the initiation of internal investigations for violations of the Department's "Employment Policies, Management Rights and S.O.P." and because the CBA expressly provides that issues concerning "Employment Policies, Management Rights and S.O.P." are "not grievable issues," there is no basis for your Grievance regarding the investigation.

For all of the foregoing reasons, your May 6<sup>th</sup> Grievance is denied.

Sam C. Pitassi  
Director of Police

3/5/2019



## Fwd: Director Response to Scatchell Grievance 2

1 message

**From:** FOP LODGE19 <mvfopolodge19@gmail.com>  
**Date:** May 30, 2018 at 11:58:42 PM CDT  
**To:** jscatchelljr@melroseparkpd.com  
**Cc:** "Hagerty, Ryan" <rah@ulaw.com>  
**Subject:** Re: Director Response to Scatchell Grievance 2

3/5/2019

Law Offices of Gianna Scatchell Mail - Fwd: Director Response to Scatchell Grievance 2

John.

As we discussed earlier today we can meet at the station along with the lodge attorney, Ryan Hagerty on Tuesday, June 5th at 3:00pm to discuss the options going forward. I talked to Ryan and he thinks the meeting should take about two hours to go over everything. I will there along with, president Raul Rodriguez, and Ryan. Please contact me immediately if something changes and you can not make the meeting. Raul said that we can use his office

Thanks,

Dennis

On Thu, May 24, 2018 at 6:07 PM John Scatchell Jr <jscatchelljr@melroseparkpd.com> wrote:  
FOP Lodge 19,

Attached you will find Director Pitassi's response to my most recent grievance. Once again I take issue with all of the denials cited within. There is nothing that dictates the timeliness in regards to filing a grievance. Also I brought forth grievance concerns on an unrelated matter to the lodge at the February meeting and I was told I could not file grievances until discipline has been levied. I consider formal charges to be discipline. Also the Director's response states that I am no longer governed by the 2014 CBA, although the incident and investigation in question occurred under the time frame of the old contract. I strongly disagree with his stance and, therefore, everything cited regarding the 2018 CBA should be deemed moot. Additionally, the Director's description of the role of the review board under the 2014 CBA is purely his opinion. I seek to have an arbitrator rule on this and the entire grievance in its totality. Also I find the Director's description of Lodge 19 as a "union" suspicious, considering for 44 years he has known that the lodge is not considered a union, but rather a benevolent association. Please provide me with any updates you have regarding this grievance, or the grievance we discussed in person and via email on 15 MAY 18.

Thank you for your time and consideration in this matter,

Ofc John A. Scatchell #23

LIVE



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Director of Police

To: Director Pitassi

From: Ofc. Scatchell #23

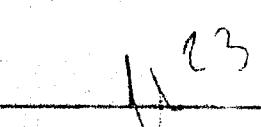
Date: 27 JUN 18

Reference: Ofc. Peter A. Caira

In summary, but not in verbatim or in its entirety, in late May I learned of Caira's involvement in an MPPD internal investigation, of which I was the topic. Several times since that discovery, Caira has attempted to engage me in conversation, including in the east stairwell of MPPD at close proximity. This has made me feel increasingly uncomfortable every time. On 27 JUN 18 between 16:00 and 16:30, I was in the back lot of MPPD. Caira exited the MPPD through the east exit and proceeded to walk towards me. He addressed other officers with different greetings, before drawing eye contact with me. Upon both of us making eye contact with each other, he winked at me. There is simply no basis for any relationship with myself and Caira to justify a wink. This is sexual harassment. I felt extremely uncomfortable, as well as harassed and intimidated. In my opinion, the act was sexual in nature. This action by Caira has caused me undue stress and mental anguish, as the very person who sought to strip me of my livelihood is now winking at me.

This all culminated on 26 JUN 18 between 16:00 and 16:30, when I went to the 7/11 convenient store while on duty to procure necessary hydration supplies for the then-current tour of duty. Upon walking into the store, I immediately observed then off-duty Ofc. Caira at the lottery machine, located just to the right of the entrance. Once I had entered, Caira addressed me with some type of uncomfortable greeting that I cannot recall verbatim. I replied to him something to the effect of "look dude, you and I have nothing to discuss." Caira answered (paraphrasing): "I just tried to say hi." I responded to Caira with something along the lines of "well don't say hi to me ever again." I feel that my past responses to Caira are warranted, as I do not desire to have any relationship with him. I am always prepared to have a professional relationship with him to accomplish the goals of MPPD.

Respectfully submitted,

  
OFC John Scatchell Jr. #23

1 North Broadway • Melrose Park, Illinois 60160 • (708) 344-8409

[www.mppd.com](http://www.mppd.com)

24

3/5/2019



## Fwd: John Scatchell Grievance

**From:** John Scatchell <jscatch88@gmail.com (mailto:jscatch88@gmail.com)>  
**Date:** February 20, 2019 at 3:05:49 PM CST  
**To:** JROCHE@FOP.ORG (mailto:JROCHE@FOP.ORG)  
**Subject:** John Scatchell Grievance

To whom it may concern,

I was discharged from Melrose Park PD on December 6th of 2018. I was a dues paying member of the FOP Labor Council at that time. In January of 2019, through my attorneys, I requested that I be compensated for my 2019 paid time off that I had accrued (vacation days, personal days, sick days). Also I contacted the president of Fop Lodge 19, Dennis Natale, to arrange for payment to remain a member of the FOP Labor. I was told that you would not allow that, since I am currently not a member of any police department (pending litigation).

At Melrose Park PD, an officer works the previous year for the ensuing years vacation/Comp time. I was credited as having worked from 1/1/18 through 12/6/18 for that calendar year. As such I should be entitled to 93.1% of my comp time that I earned for the 2019 Calendar year. At my tier of seniority, I would have earned 30 vacation days, 10 personal days, and 6 six days for an entire year worked or 46 days of paid time off. I would like to file a grievance with the union, as I was a member during the time frame that I earned the aforementioned comp time.

Also do you have any update on my previous grievances that you had taken over?

Thank you for your time and consideration in this matter,

John A. Scatchell  
(708) 906-1188

# **EXHIBIT 43**



## MELROSE PARK POLICE DEPARTMENT

**Sam C. Pitassi • Chief of Police**

To: Officer John Scatchell #23

From: Director of Police Sam Pitassi and Deputy Chief Michael Castellan

Date: December 8, 2017

RE: Notice of Interrogation/Formal Investigation Re: Potential Violation of Sections 340.5.2(a), 340.5.4(d) and (e), 340.5.5(c), 340.5.8(d), 340.5.8(i), 340.5.9(a), (h) and (m) and 1014.2 of the Police Department's Policy Manual

Dear Officer Scatchell:

The Village of Melrose Park ("Village") is conducting a Formal Investigation ("Investigation") as to whether you have violated Sections 340.5.2(a), 340.5.4(d) and (e), 340.5.5(c), 340.5.8(d), 340.5.8(i), 340.5.9(a), (h) and (m) and 1014.2 of the Police Department's Policy Manual, which could lead to your suspension of more than 24 duty hours, removal or discharge. In particular, the Village is investigating whether you abused sick leave by participating in recreational activities (ex. hunting) during your sick leave, and that in doing so, you engaged in hunting activities with a known felon and when caught by the Conservation Police on November 20, 2017, you were deceptive and sought to use your position as a Melrose Park police officer to avoid criminal charges being brought.

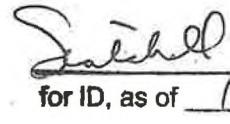
As part of this Formal Investigation, your interrogation has been scheduled for December 19, 2017, at 9:30 a.m., in the Courtroom at the Melrose Park Police Department. You are ordered to attend and participate in this Interrogation as set forth below.

If the information and evidence gathered during the course of our Investigation, including any admissions made by you during this Interrogation, establish violations of the foregoing provisions, this will be the basis for filing charges seeking your removal, discharge, or suspension from duty in excess of 24 hours.

Director Pitassi and Deputy Chief Castellan will be in charge of the investigation and the Interrogation will be conducted by Jeffrey S. Fowler, one of the Village's attorneys. The other people who will be present include Joseph M. Gagliardo (attorney for the Village), and a court reporter to transcribe the Interrogation. Director Pitassi and/or Deputy Chief Castellan will also be present on behalf of the Department during the Interrogation.

**1 North Broadway • Melrose Park, Illinois 60160 • (708) 344-8409**

[www.mppd.com](http://www.mppd.com)

  
Scatchell  
for ID, as of 1/9/18  
Dep Ex No. 2

**CHIEF'S EXHIBIT**

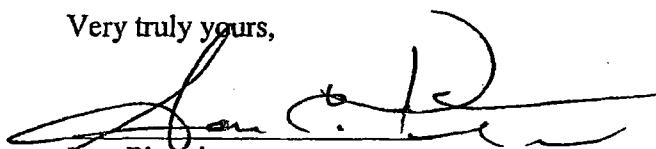
A record of the Interrogation shall be made and a complete transcript or copy shall be made available to you without charge. The record may be electronically recorded. You have the right to counsel of your choosing who may be present to advise you at any stage before or during this Interrogation. You also have a right to have a union representative present during the Interrogation. Any statements, admissions or confessions you make as part of this investigation may be used as evidence of misconduct or as the basis for charges seeking suspension, removal, or discharge.

During the Interrogation, you will have reasonable periods for rest and personal necessities upon request. During the Interrogation, you will not be subject to professional or personal abuse, including offensive language. In addition, you will have the opportunity to present any evidence or information that you have in response to the allegations.

You are ordered to bring and present any relevant evidence, documents, photos, materials or recordings with you to this meeting so that such information, if appropriate and relevant, can be considered as part of the Investigation, including, but not limited to, your medical records relating to your medical leave since November 9, 2017, your recreational activities during the period that you have been on medical leave (since November 9, 2017), your participation or involvement in potential illegal activities by a known felon on or about November 20, 2017, and your contact with any other law enforcement agency(ies) that may lead to criminal prosecutions on or about November 20, 2017.

Finally, by this letter, I am again ordering you to fully cooperate with the Investigation and to answer all questions truthfully and completely. Please be advised that your failure to fully cooperate or to answer questions truthfully and completely may result in disciplinary action taken against you up to and including termination.

Very truly yours,



Sam Pitassi  
Director of Police

Michael Castellan  
Deputy Chief of Police

# **EXHIBIT 44**



## MELROSE PARK POLICE DEPARTMENT

Sam C. Pitassi • Chief of Police

To: Officer John Scatchell

From: Director of Police Sam Pitassi and Deputy Chief Michael Castellan

Date: December 20, 2017

RE: Notice of Interrogation/Formal Investigation Re: Potential Violation of Sections 340.5.2(a), 340.5.4(d) and (e), 340.5.5(c), 340.5.8(d), 340.5.8(i), 340.5.9(a), (h) and (m) and 1014.2 of the Police Department's Policy Manual

Dear Officer Scatchell:

As you know, the Village of Melrose Park ("Village") is conducting a Formal Investigation ("Investigation") as to whether you have violated Sections 340.5.2(a), 340.5.4(d) and (e), 340.5.5(c), 340.5.8(d), 340.5.8(i), 340.5.9(a), (h) and (m) and 1014.2 of the Police Department's Policy Manual, which could lead to your suspension of more than 24 duty hours, removal or discharge. In particular, the Village is investigating whether you abused sick leave by participating in recreational activities (ex. hunting) during your sick leave, and that in doing so, you engaged in hunting activities with a known felon and when caught by the Conservation Police on November 20, 2017, you were deceptive and sought to use your position as a Melrose Park police officer to avoid criminal charges being brought. In addition, the Village will investigate the circumstances of your failure to appear for the interrogation that had been set for December 19, 2017.

As part of this Formal Investigation, your interrogation has been rescheduled for January 9, 2018, at 1:30 p.m., in the Multi-Purpose Room in the Village Hall, 1000 North 25<sup>th</sup> Avenue, Melrose Park, Illinois. You are ordered to attend and participate in this Interrogation as set forth below.

If the information and evidence gathered during the course of our Investigation, including any admissions made by you during this Interrogation, establish violations of the foregoing provisions, this will be the basis for filing charges seeking your removal, discharge, or suspension from duty in excess of 24 hours.

Director Pitassi and Deputy Chief Castellan will be in charge of the investigation and the Interrogation will be conducted by Jeffrey S. Fowler, one of the Village's attorneys. The other people who will be present include Joseph M. Gagliardo (attorney for the Village), and a court reporter to transcribe the Interrogation. Director Pitassi and/or Deputy Chief Castellan will also be present on behalf of the Department during the Interrogation.

1 North Broadway • Melrose Park, Illinois 60160 • (708) 344-8409

[www.mppd.com](http://www.mppd.com)

*[Signature]* Dep Ex No. 3  
for ID, as of 1/9/18

CHIEF'S EXHIBIT

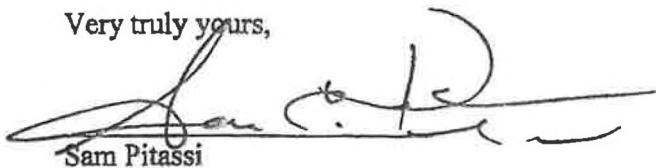
A record of the Interrogation shall be made and a complete transcript or copy shall be made available to you without charge. The record may be electronically recorded. You have the right to counsel of your choosing who may be present to advise you at any stage before or during this Interrogation. You also have a right to have a union representative present during the Interrogation. Any statements, admissions or confessions you make as part of this investigation may be used as evidence of misconduct or as the basis for charges seeking suspension, removal, or discharge.

During the Interrogation, you will have reasonable periods for rest and personal necessities upon request. During the Interrogation, you will not be subject to professional or personal abuse, including offensive language. In addition, you will have the opportunity to present any evidence or information that you have in response to the allegations.

You are ordered to bring and present any relevant evidence, documents, photos, materials or recordings with you to this meeting so that such information, if appropriate and relevant, can be considered as part of the Investigation, including, but not limited to, your medical records relating to your medical leave since November 9, 2017, your recreational activities during the period that you have been on medical leave (since November 9, 2017), your participation or involvement in potential illegal activities by a known felon on or about November 20, 2017, and your contact with any other law enforcement agency(ies) that may lead to criminal prosecutions on or about November 20, 2017.

Finally, by this letter, I am again ordering you to fully cooperate with the Investigation and to answer all questions truthfully and completely. Please be advised that your failure to fully cooperate or to answer questions truthfully and completely may result in disciplinary action taken against you up to and including termination.

Very truly yours,



Sam Pitassi  
Director of Police

Michael Castellan  
Deputy Chief of Police

# **EXHIBIT 45**

HEARING, 11/09/2018

Page 50..53

FILED DATE: 8/26/2019 2:37 PM 2018CH16150

<p>1 CHAIRMAN ESPOSITO: But he was not here. He 2 was not sitting there. He could have came up, sat 3 in the chair, and said, I'm not answering the 4 question. Fine.</p> <p>5 THE WITNESS: I understand that. It's my 6 opinion that if you -- all the legal wrangling that 7 were going on, for him -- from just moving and 8 getting up --</p> <p>9 CHAIRMAN ESPOSITO: No. Well, that's your 10 opinion. You weren't here.</p> <p>11 THE WITNESS: I agree. I'm only going by the 12 transcripts that I read.</p> <p>13 CHAIRMAN ESPOSITO: Go ahead. Next question.</p> <p>14 MR. COOPER: Nothing further at this time.</p> <p>15 Thank you, Chief.</p> <p>16 MR. FOWLER: I'm sorry. Did -- you're 17 finished?</p> <p>18 CHAIRMAN ESPOSITO: Yeah, he's finished.</p> <p>19 CROSS EXAMINATION</p> <p>20 BY MR. FOWLER:</p> <p>21 Q. Did you review the indictment against 22 Mr. Scavo?</p> <p>23 A. I did not.</p> <p>24 Q. Why not?</p>	<p>Page 50</p> <p>1 allegations in general or if he specifically 2 answered questions. I may have just -- I may asked 3 him things to the amount of what the Village of 4 Melrose Park's directives said or didn't say or 5 things like that.</p> <p>6 Q. How long did that first conversation 7 last?</p> <p>8 A. I already answered that. I don't 9 recall.</p> <p>10 Q. During that first conversation, anybody 11 else on the line?</p> <p>12 A. No.</p> <p>13 Q. Tell the Board exactly what he said 14 to you and what you said to him during that 15 conversation.</p> <p>16 A. I really don't recall.</p> <p>17 Q. And the second conversation, when did 18 that take place?</p> <p>19 A. There was a conversation yesterday, a 20 very short conversation.</p> <p>21 Q. I'm sorry?</p> <p>22 A. It was a very short conversation 23 yesterday evening.</p> <p>24 Q. Anybody else on the line?</p>
<p>1 A. It was never given to me.</p> <p>2 Q. So your opinion is based solely upon 3 the documents that were given to you; is that what 4 you're saying?</p> <p>5 A. Correct.</p> <p>6 Q. And those documents were given to you 7 solely by the respondent here, right?</p> <p>8 A. That's correct.</p> <p>9 Q. You testified, I think at least twice, 10 that you had the opportunity to interview Officer 11 Scatchell.</p> <p>12 A. I did.</p> <p>13 Q. How long did that -- how many times did 14 you interview him?</p> <p>15 A. Once through a telephone conversation.</p> <p>16 Maybe twice early on. I may have talked to him on 17 the phone. And then we talked again today.</p> <p>18 Q. And never in person before today?</p> <p>19 A. No.</p> <p>20 Q. The first time on the telephone, how 21 long did that conversation last?</p> <p>22 A. I don't recall.</p> <p>23 Q. Did he answer questions for you?</p> <p>24 A. I don't know if we talked about the</p>	<p>Page 51</p> <p>1 A. No.</p> <p>2 Q. During that conversation, what did he 3 say to you and what did you say to him?</p> <p>4 A. I basically told him that I am going 5 to be very impartial on this. And I told him I 6 thought that there were some violations here that 7 are credible. And I told him I can see him getting 8 anywhere from a 10- to 30-day suspension without 9 pay. But I certainly didn't see anything here that 10 would be tantamount to him losing his job.</p> <p>11 Q. Anything else?</p> <p>12 A. Not that I recall.</p> <p>13 Q. So I think you said to the Board that 14 part of what he said to you helped form your 15 opinions in this case.</p> <p>16 A. Let me go back. I asked him about his 17 relationships with Scavo.</p> <p>18 Q. Anything else?</p> <p>19 A. Very candid, I -- I see something other 20 than these allegations here. And I asked him if 21 there could be anything else that may be driving 22 this event. Because it just seems like something 23 that was, by police administrative standards, 24 rather common, yet minor has blossomed into a very</p>

# **EXHIBIT 46**

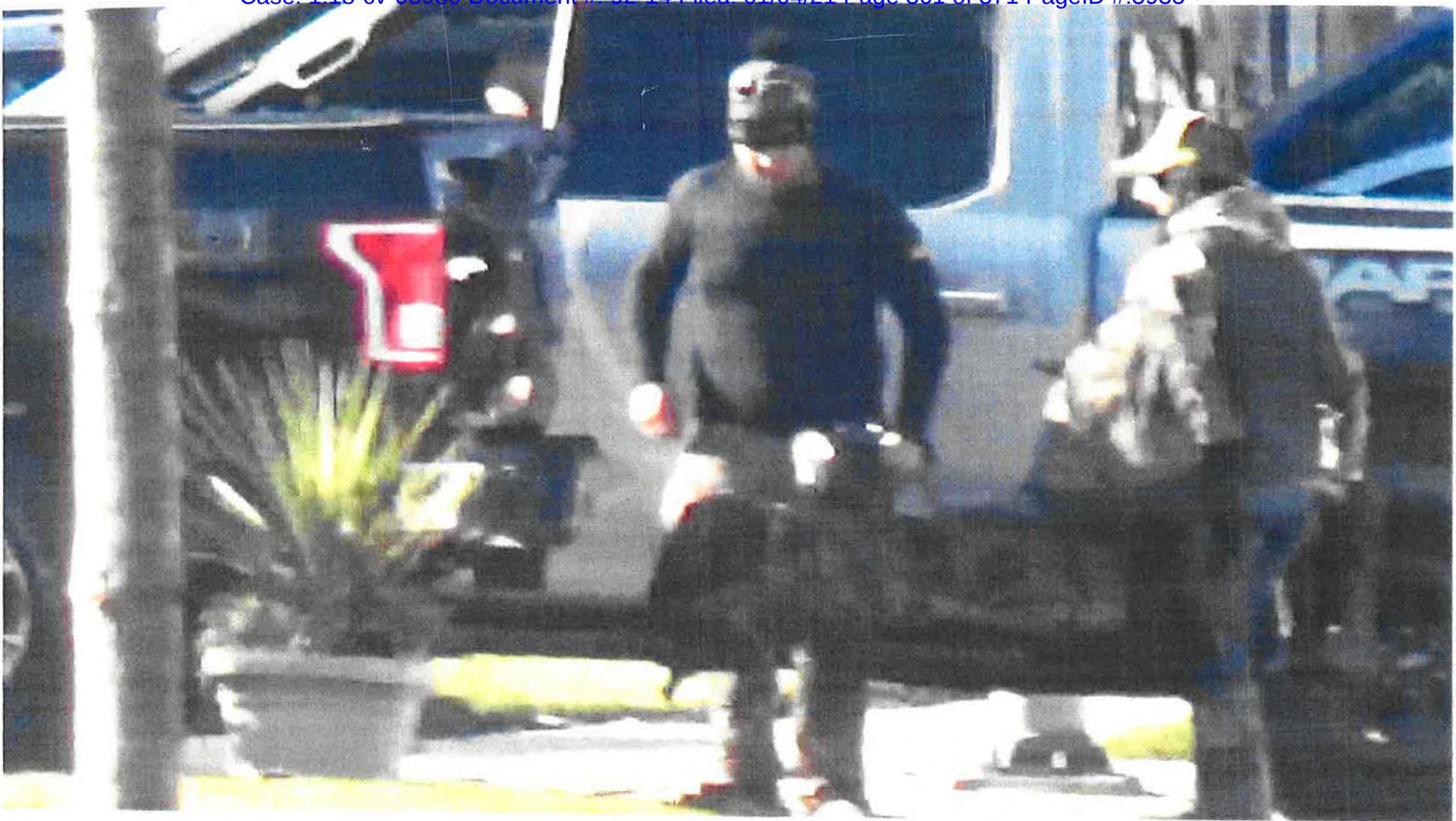
## Deposition of HEARING, 10/22/2018

<p>1                   (Recess taken.)</p> <p>2    MR. FOWLER: We have one more procedural or 3 housekeeping issue. It's a stipulation that Vito 4 Scavo has been subpoenaed to testify here in this 5 hearing. I believe that the parties are prepared 6 to stipulate that if called to testify he would 7 refuse to answer any questions and would instead 8 assert his rights under the Fifth Amendment.</p> <p>9    MR. COOPER: So the point is he's not coming.</p> <p>10   CHAIRMAN ESPOSITO: Okay.</p> <p>11   MR. O'CONNOR: Well, yeah, but you agree that 12 that's -- you stipulate that if called that would 13 be his testimony?</p> <p>14   MR. COOPER: I do.</p> <p>15   MR. O'CONNOR: Okay.</p> <p>16   CHAIRMAN ESPOSITO: Okay.</p> <p>17   MR. FOWLER: With that, we're prepared to 18 make opening statement.</p> <p>19   CHAIRMAN ESPOSITO: All right.</p> <p>20   MR. FOWLER: If you want opening statement, 21 or we can just go straight to the first witness 22 since you've read the charges.</p> <p>23   CHAIRMAN ESPOSITO: What are you comfortable 24 with?</p>	Page 14	<p>1    CHAIRMAN ESPOSITO: They're not witnesses.</p> <p>2    Okay. So they could stay.</p> <p>3    MR. COOPER: So it's my understanding that 4 there was not notice of this hearing, so it's our 5 position that the Open Meetings Act has been 6 violated. Not much more I can offer, but I do 7 think it's necessary --</p> <p>8    CHAIRMAN ESPOSITO: This is not a -- this is 9 not a regular meeting. This is a continuance of 10 the hearing that was scheduled ahead of time. So I 11 don't think we have to post that. I believe in our 12 bylaws, our laws, we have to post meetings that are 13 regularly scheduled meetings. But a continuance of 14 this nature I don't believe it needs to be 15 scheduled.</p> <p>16        Okay. Any other complaints?</p> <p>17    MR. COOPER: No.</p> <p>18    CHAIRMAN ESPOSITO: Thank you.</p> <p>19        Go ahead, Mr. Fowler.</p> <p>20    MR. FOWLER: We call Officer Scatchell.</p> <p>21        And I would remind Officer Scatchell 22 that on January 9th, he was specifically given a 23 Garrity warning where he was required to answer 24 questions, ordered to answer questions, and was</p>	Page 16
<p>1    MR. FOWLER: Either way.</p> <p>2    CHAIRMAN ESPOSITO: I don't think we need an 3 opening statement. I think we can just start with 4 the --</p> <p>5    COMMISSIONER CAPUTO: Let's go.</p> <p>6    CHAIRMAN ESPOSITO: I think we know what the 7 charges are.</p> <p>8    MR. FOWLER: Very well. In that case, we 9 could call Officer Scatchell.</p> <p>10   MR. COOPER: Two things.</p> <p>11        Officer Scatchell has a right not to 12 incriminate himself. So Officer Scatchell will not 13 take the stand.</p> <p>14        And then there was one other issue I 15 want to raise.</p> <p>16    MR. FOWLER: Is there another issue you want 17 to raise now?</p> <p>18    MR. COOPER: Yeah. One second. We're 19 looking at something on the computer.</p> <p>20    CHAIRMAN ESPOSITO: Are Mr. and Mrs. Scatchell 21 going to be witnesses? Are they listed as 22 witnesses?</p> <p>23    MR. COOPER: Oh, hi.</p> <p>24        No. No, they're not.</p>	Page 15	<p>1    given the appropriate Garrity warning at the time.</p> <p>2        And I would ask Deputy Chief 3 Castellan to now verbally renew the Garrity warning 4 that Officer Scatchell was given on January 9th, 5 2018.</p> <p>6    MR. COOPER: So the --</p> <p>7    MR. FOWLER: Just before -- is that correct, 8 Deputy Chief?</p> <p>9    DEPUTY CHIEF CASTELLAN: Yes, it is.</p> <p>10   MR. COOPER: So the Garrity has no 11 applicability to an administrative hearing. And 12 that's something that would have to be briefed. 13 It's not something I can explain in the next three 14 or four minutes. It is something I have briefed in 15 the past.</p> <p>16        There's no applicability of Garrity 17 to this proceeding. He has a Fifth Amendment right 18 not to incriminate himself. And the only party -- 19 or let me rephrase it. The only one who can call 20 him as a witness is me. Not Mr. Fowler. I have 21 yet to make a decision as to whether or not Officer 22 Scatchell will give testimony. But he will not 23 take the stand at this point.</p> <p>24        And it's sort of a double-edged</p>	Page 17

## Deposition of HEARING, 10/22/2018

FILED DATE: 8/26/2019 2:27 PM 2018CH16150

<p>1 sword for the Melrose Park Police Department 2 because if the police department takes the position 3 it's going to fire him for not giving testimony, 4 it'll be reversed, and it'll be back. 5         If the police department takes the 6 right position, and that is wait to see if I call 7 him as a witness, things will be fine, meaning that 8 the police department sensed that -- or its 9 position that it wants to have some sort of 10 strength in the circuit or the appellate court, 11 that strength may still be there, but if -- so in 12 some ways, I'm actually hoping that there's an 13 order right now for him to take the stand.</p> <p>14         MR. FOWLER: We're happy to comply with that.</p> <p>15         Deputy Chief Castellan, would you 16 give Officer Scatchell an order to take the stand 17 and answer questions pursuant to his Garrity 18 warning?</p> <p>19         DEPUTY CHIEF CASTELLAN: John.</p> <p>20         OFFICER SCATCHELL: Yes.</p> <p>21         DEPUTY CHIEF CASTELLAN: I order you to take 22 the stand and answer all questions truthfully and 23 honestly.</p> <p>24         OFFICER SCATCHELL: At this time I assert my</p>	<p style="text-align: right;">Page 18</p> <p>1 on the law, then you agree that there's no need for 2 further evidence?</p> <p>3         MR. COOPER: Sure. But he's not right on the 4 law, because I've been down this road before.</p> <p>5         MR. O'CONNOR: Mr. Fowler, you believe you're 6 right on the law?</p> <p>7         MR. FOWLER: I do.</p> <p>8         MR. O'CONNOR: So what do you want to do? Do 9 you want to brief this? And we'll find out, and if 10 you're right, then the charges are deemed admitted.</p> <p>11         MR. FOWLER: I would be happy to brief this, 12 and perhaps since --</p> <p>13         MR. O'CONNOR: It's not for me to say.</p> <p>14         Do you have other witnesses you want 15 to call for the rest of tonight?</p> <p>16         MR. FOWLER: I just let them leave. I can 17 call them back.</p> <p>18         But at this point, I think it 19 probably makes most sense for the parties to brief 20 this and present their written briefs tomorrow when 21 we resume at 5:30.</p> <p>22         MR. COOPER: That's not enough time. This is 23 a big deal. And when this issue has been briefed, 24 it takes a lot of time.</p>
<p>1 Fifth Amendment right.</p> <p>2         MR. FOWLER: In light of the assertion of the 3 Fifth Amendment right in that this is a civil 4 proceeding, the rule of law is that the Board is 5 entitled to take the Fifth Amendment right against 6 him, to use it as an inference against him, and to 7 assume that all of the charges are therefore true. 8 Based upon that and based upon his refusal to obey 9 a direct order right in your presence, we would 10 suggest that there's nothing else needed in this 11 hearing and that he be discharged effective today.</p> <p>12         MR. COOPER: And under Illinois law, that's 13 just not accurate. And, again, this isn't 14 something we can resolve right now. In the past 15 when this has come up, we filed briefs.</p> <p>16         And it's a pretty extraordinary 17 process. I have never known of an officer being 18 forced to testify. If an officer is forced to 19 testify, he's reinstated fairly quickly by the 20 Circuit Court.</p> <p>21         MR. FOWLER: Obviously we disagree with 22 counsel on the law.</p> <p>23         MR. O'CONNOR: Okay. So, Chris, if he's 24 right on the law, you brief it out and he's right</p>	<p style="text-align: right;">Page 19</p> <p>1         MR. O'CONNOR: Well, I know, Chris, it might 2 be a big deal, but if you've got a case that says 3 what you say it does, and you've got a case that 4 says opposite, then it doesn't seem like it would 5 be too much. I mean, you don't have to do a brief. 6 It maybe could be a formal letter, This case 7 compels that the Board rule in my favor, and you 8 say that, This case compels the Board rule in my 9 favor. I mean, how much time are you looking for? 10 A couple days? Because it's not going to be a 11 month.</p> <p>12         MR. COOPER: Last time I filed a brief like 13 this, it was about 16 pages.</p> <p>14         MR. O'CONNOR: Well, just give us that brief.</p> <p>15         MR. COOPER: I know. I can switch things 16 around.</p> <p>17         MR. O'CONNOR: It's up to the Board.</p> <p>18         COMMISSIONER CAPUTO: How much time do you 19 need, Chris?</p> <p>20         MR. COOPER: Couple days.</p> <p>21         COMMISSIONER CAPUTO: Couple days? If we go 22 tomorrow, and Wednesday enough, or do you want to 23 come Thursday?</p> <p>24         MR. COOPER: I mean, we just -- the way I see</p>



X47

; EXHIBIT

Capture 4



2-PE 01-11/ PE03

Capture 5



2-PE 01-11/ PE05

DSC00466



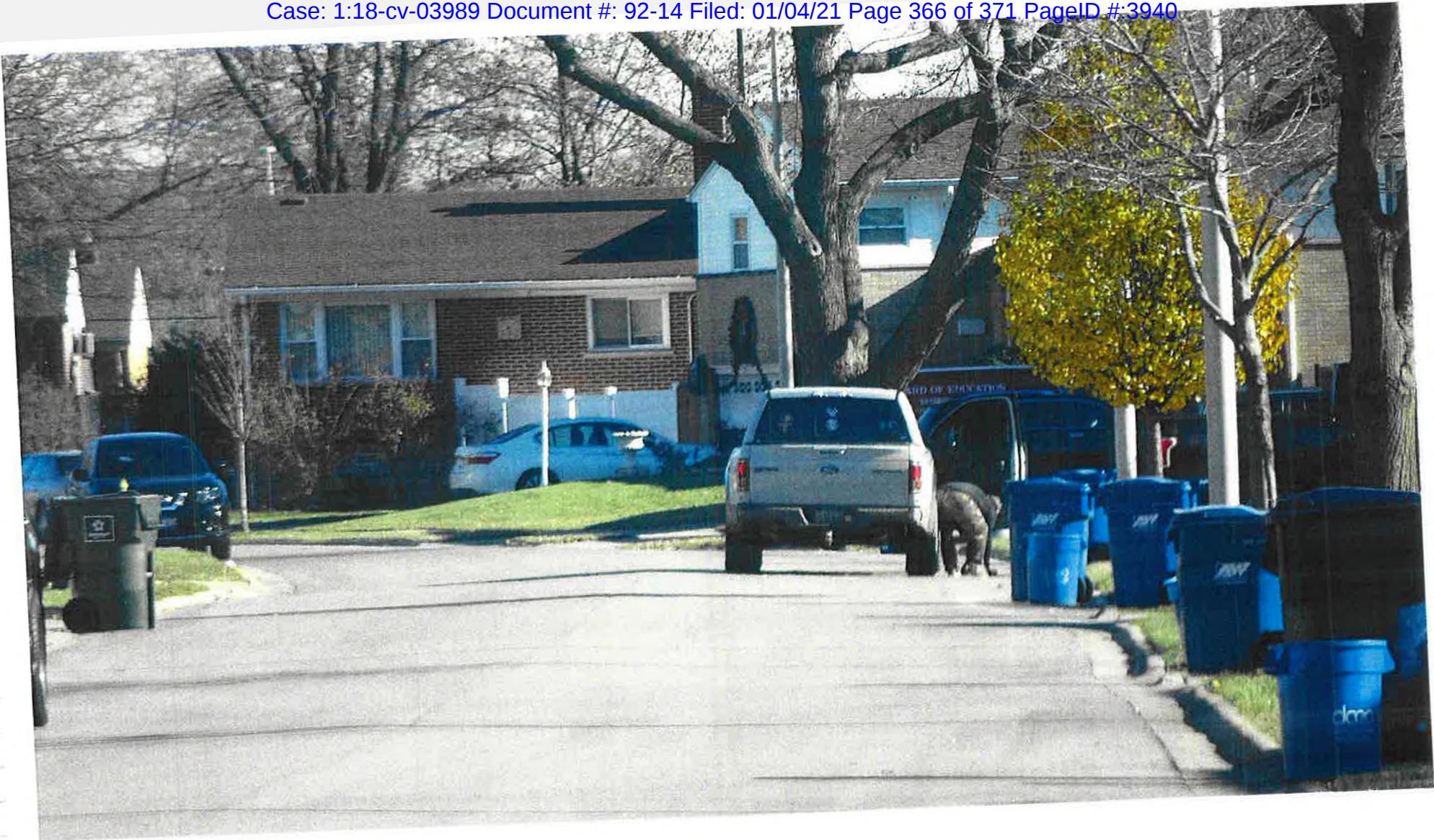
2-PE 01-11/ PE09

DSC00155



2-PE 01-11/ PE09

DSC00156



DSC00179

2-PE 01-11/ PE10



2-PE 01-11/ PE11

DSC00281



2-PE 01-11/ PE11

DSC00302



2-PE 01-11/ PE11

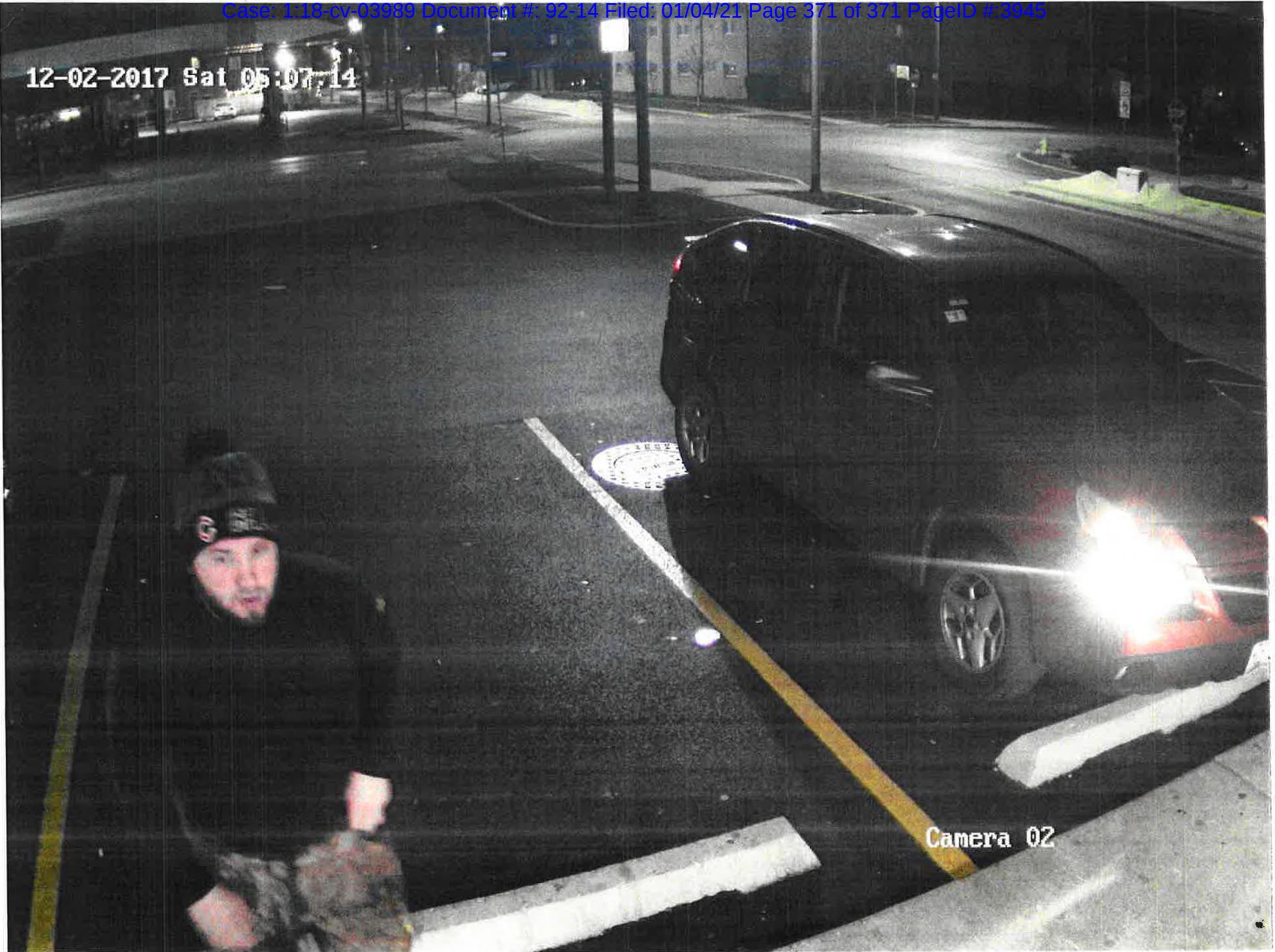
DSC00303



2-PE 01-11/ PE11

DSC00312

12-02-2017 Sat 05:07:14



Camera 02

3-PE A-E/ PE E / OUTISDE

711 17 12 02 0507d